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JULY-AUGUST-SEPTEMBER 87

URBAN/MUNICIPAL

MINUTES OF THE MEETINGS
OF THE COUNCIL OF
HAMILTON

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, JULY 28, 1987
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley,
Copps, Christopherson, Collins, Wheeler, Smith, Gallacher,
Merling, Murray.

His Worship Mayor Robert M. Morrow led the Council in prayer.

His Worship Mayor Robert M. Morrow called the meeting to order.

Mrs. Marion Dewar, newly elected M.P. for Hamilton Mountain, was introduced to the Council.

Mr. William Sears, Regional Chairman, presented Mayor Morrow with a framed, coloured picture of the Rock Gardens. This picture is to be used in the Region's display at the 1988 Olympics.

A presentation was made to Mr. Brian Lewis re: Wilderness Survival Programme - "Hug a Tree".

The minutes of the meeting of June 23, 1987, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Letter from The Honourable Ian Scott, Attorney General, re pamphlet published by the Ontario Freedom Party entitled "Warning! B.I.A.'s are Hazardous to your Economic Health and Independence.", dated July 10, 1987.
2. Letter from Mr. E. A. Simpson, City Clerk, advising objection received to By-law Number 87-161, dated July 6, 1987. NO ACTION TAKEN.
3. Letter from Mr. E. A. Simpson, City Clerk, advising objections received to By-law Number 87-167, dated July 6, 1987. NO ACTION TAKEN.
4. Application from Delores Bovell, 3 Azalea Court, Hamilton, Ontario, for a modification to the "DE-2" District regulations for property located at 1020 King Street East, dated June 23, 1987.
5. Application from Hourigan Management Inc., c/o 3131 New Street, Burlington, Ontario, for a change in zoning, property located at 190 Main Street West, dated July 3, 1987.
6. Application from Mr. Ivin Mikulic, 538 Mountain Brow Boulevard, Hamilton, Ontario, for a modification to "B" District regulations for property located at 538 Mountain Brow Boulevard, dated July 6, 1987.

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7. Application from Unidevco Property Group Limited, 1865 Lakeshore Road West, Mississauga, Ontario, for a modification to "KK-S240" District regulations for property located at 35 Goderich Road, dated July 7, 1987.
8. Application from 128680 Ontario Limited, c/o Herbert Schreiber, 50 Brockley Drive, Hamilton, Ontario, for a change in zoning, property located at 300 to 344 Rymal Road East, dated July 10, 1987.
9. Application from William D. Mattina, 41 Tinder Lane, Ancaster, Ontario, and Marilyn J. Ferracuti, 35 Village Green Drive, St. Catharines, Ontario, for a change in zoning, property located at 165 Rymal Road West, dated July 13, 1987.
10. Application from Gwynette Seymour and Frederick Seymour, 70 West Avenue South, Hamilton, Ontario, for a modification to E/S 83-61 District regulations, property located at 60 and 62 West Avenue South, dated July 27, 1987.
11. Monthly report for June, 1987 - Department of Buildings. NOTED.

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It was moved by Alderman Wheeler, seconded by Alderman McCulloch, and carried, that Council move into Committee of the Whole to consider the following reports, with Alderman Smith in the chair.

* * * * *

(A) EXECUTIVE COMMITTEE - FOURTEENTH REPORT.

It was moved by Alderman Gallagher and seconded by Alderman Merling.

RESOLVED: that Section 8 be amended by adding the following as Subsection (a) (iv):

"That the Hamilton-Wentworth Housing Authority project at Millwood Place be included as part of the study."

YEAS: Aldermen Gallagher, Merling, Murray. - 3.

NAYS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith. - 12. LOST.

* * * * *

Recorded vote on Section 8.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith. - 10.

NAYS: Aldermen Agro, McCulloch, Gallagher, Merling, Murray. - 5. LOST.

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Recorded vote on Section 12.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith. - 10.

NAYS: Aldermen Merling, Murray. - 2. CARRIED.

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(A) EXECUTIVE COMMITTEE - FIFTEENTH REPORT.

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(B) TRANSPORT AND ENVIRONMENT COMMITTEE - ELEVENTH REPORT.

Recorded vote on Section 3.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Smith, Gallagher, Merling, Murray. - 14.

NAYS: Alderman Copps. - 1. CARRIED.

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Recorded vote on Section 13.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Murray. - 13.

NAYS: Aldermen Gallagher, Merling. - 2. CARRIED.

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Recorded vote on Section 14.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Murray. - 13.

NAYS: Aldermen Gallagher, Merling. - 2. CARRIED.

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Recorded vote on Section 15.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Murray. - 13.

NAYS: Aldermen Gallagher, Merling. - 2. CARRIED.

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Recorded vote on Section 16.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch,
Valeriano, Hinkley, Copps, Christopherson, Collins,
Wheeler, Smith, Murray. - 13.

NAYS: Aldermen Gallagher, Merling. - 2. CARRIED.

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Recorded vote on Section 17.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch,
Valeriano, Hinkley, Copps, Christopherson, Collins,
Wheeler, Smith, Murray. - 13.

NAYS: Aldermen Gallagher, Merling. - 2. CARRIED.

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Recorded vote on Section 18.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch,
Valeriano, Hinkley, Copps, Christopherson, Collins,
Wheeler, Smith, Murray. - 13.

NAYS: Aldermen Gallagher, Merling. - 2. CARRIED.

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The recommendation of the Executive Committee on Section 25
was carried.

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It was moved by Alderman Gallagher and seconded by Alderman Merling.

RESOLVED: that, at the point of occupancy of a dwelling in a new
subdivision, the builder or developer be required to
comply with the finished grading, weather permitting.
If the grading does not comply the City of Hamilton
give the builder or developer seven (7) days to comply.
Failing that the City of Hamilton will correct the grading
inequities and bill the developer or builder. - CARRIED.

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It was moved by Alderman McCulloch and seconded by Alderman Agro.

RESOLVED: that the resolution of Alderman Gallagher dealing with
finished grading in new subdivisions be referred to the
Planning and Development Committee. - CARRIED.

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It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that Section 42, reading as follows:

"42. That no exemption be made to the policy allowing residential boulevard parking for one, two and three family dwellings, for the portion of Gladstone Avenue between Delaware Avenue and Main Street.",

be deleted, and the following substituted in lieu thereof:

"42. That residential boulevard parking for one, two and three family dwellings not be permitted for the portion of Gladstone Avenue between Delaware Avenue and Main Street." - CARRIED.

The recommendation of the Executive Committee on Section 43 was carried.

It was moved by Alderman Merling and seconded by Alderman Agro.

RESOLVED: that the following be added as Section 48.

"48. (a) That the Commissioner of Engineering be authorized and directed to request Hamilton Hydro Electric System to install underground conduit, transformer vaults and drains, as required to provide underground electrical services on Ravenscliffe Avenue, from Aberdeen Avenue to the south end of the street, at an estimated cost of approximately \$8,000.00.

(b) That the Executive Committee be requested to recommend the method of financing this additional expenditure.

(c) That staff be directed to investigate the feasibility of a cost shared underground electrical service on Ravenscliffe Avenue on the following basis:

1/3 Hydro (H.H.E.S.)
1/3 City of Hamilton
1/3 Residents on Ravenscliffe

(d) That staff investigate the existing policy whereby homeowners are responsible for the cost of underground service from their house to the streetline with the view to rescinding this policy." - CARRIED.

His Worship Mayor Morrow declared personal interest in, took no part in the debate, and refrained from voting on this resolution as his mother lives on this street.

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It was moved by Alderman Cooke and seconded by Alderman Merling.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council to allow the introduction of a motion respecting the reconstruction of the Poulette Street Bridge. - CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Merling.

RESOLVED: that the following be added as Section 49.

"49. That City Council write to the Canadian Transport Commission and request that an order be issued to C.P. Rail directing that Corporation to rebuild the Poulette Street bridge immediately in the spirit of the commitment that was made last Fall to the City and the affected neighbourhood." - CARRIED.

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It was moved by Alderman Collins and seconded by Alderman Wheeler.

RESOLVED: that Subsection (d) of Section 5 of the SECOND Report of the Transport and Environment Committee, adopted by City Council at its meeting held on January 14, 1986, reading as follows:

"5. That an Offer to Purchase surplus City owned land on the south east corner of King Street East at Greenhill Avenue executed by 596361 Ontario Limited on December 20th, 1985 and scheduled for closing on August 14th, 1986 be accepted.

NOTE: This irregular parcel of land having a frontage of approximately 57.437 metres (18 feet) along the easterly limits of Greenhill Avenue by a depth of not more than 8.692 metres (29 feet) is being purchased at a price of \$8,494., the proceeds of which will be credited to Account No. 0280-02.

A deposit cheque in the amount of \$850.00 is being held by the City Treasurer pending Council approval.

This Offer to Purchase is subject to the following provisions:

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- (a) That the closing of this transaction by the City of Hamilton is conditional upon the purchaser 596361 Ontario Limited having completed the purchase of the adjacent lands to the East known as 2804 King Street East, Hamilton.
- (b) That the closing of this transaction by the purchaser is conditional upon the purchaser having obtained approval of a zoning change to Commercial 'HH' for the said 2804 King Street East, together with the subject parcel of land described as Part 1 on Reference Plan 62R-6769.
- (c) That the acceptance of this offer by City Council will serve as authorization by the City for the purchaser 596361 Ontario Limited to make application for the said zoning change on the lands described as Part 1 on Reference Plan 62R-6769.
- (d) That the City of Hamilton will pass a By-law incorporating into Greenhill Avenue the one foot parcel forming the easterly limits of Greenhill Avenue measuring 65.916 metres (216 feet) southerly from King Street and more particularly described as Part 7 and Part 8 of Reference Plan 62R-6380 providing the purchaser has paid in full all outstanding municipal costs for land and services relative to the one foot parcel. Said costs amount to \$25,262.47."

be reconsidered. - CARRIED.

It was moved by Alderman Collins and seconded by Alderman Wheeler.

RESOLVED: that Subsection (d) of Section 5 of the SECOND Report of the Transport and Environment Committee, adopted by City Council at its meeting held on January 14, 1986, be amended by deleting the figures "\$25,262.47", in the last line, and inserting in lieu thereof the figures "\$35,387.00." - CARRIED.

It was moved by Alderman Collins and seconded by Alderman Wheeler.

RESOLVED: that Subsection (d) of Section 5 of the SECOND Report of the Transport and Environment Committee, as amended, be adopted. - CARRIED.

It was moved by Alderman Collins and seconded by Alderman Wheeler.

RESOLVED: that Section 25 of the SIXTEENTH Report of the Planning and Development Committee, tabled by City Council at its meeting held on August 26, 1986, and reading as follows:

"25. That the closing date for the sale of the City owned land on the south-east corner of King Street East at Greenhill Avenue to 596361 Ontario Limited (Alex Hemstreet) be extended from August 14th, 1986 to January 29th, 1987.",

be now lifted from the table. - CARRIED.

It was moved by Alderman Collins and seconded by Alderman Wheeler.

RESOLVED: that Section 25 of the SIXTEENTH Report of the Planning and Development Committee be amended by deleting the words "January 29th, 1987", and inserting in lieu thereof the words "August 14th, 1987." - CARRIED.

It was moved by Alderman Collins and seconded by Alderman Wheeler.

RESOLVED: that Section 25 of the SIXTEENTH Report of the Planning and Development Committee, as amended, be adopted. - CARRIED.

(C) PARKS AND RECREATION COMMITTEE - TWELFTH REPORT.

It was moved by Mayor Morrow and seconded by Alderman Gallagher.

RESOLVED: that Section 3 be amended by adding the following:

"and that the City Solicitor be authorized and directed to prepare a by-law to prohibit the feeding of pigeons in Gore Park. - CARRIED.

It was moved by Alderman Hinkley and seconded by Alderman Valeriano.

RESOLVED: that Subsection (a) and (c) be amended by deleting the words "proceed with", in the first line, and substituting in lieu thereof the following:

"prepare a site plan for presentation to the Parks and Recreation Committee for". - CARRIED.

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The recommendation of the Executive Committee on Section 5 was carried.

The recommendation of the Executive Committee on Section 14 was carried.

(C) PARKS AND RECREATION COMMITTEE - THIRTEENTH REPORT.

(D) PLANNING AND DEVELOPMENT COMMITTEE - FOURTEENTH REPORT.

It was moved by Alderman McCulloch and seconded by Alderman Agro.

RESOLVED: that Subsection (c) of Section 8 be amended by deleting the figures "\$284,000." in the second line, and inserting in lieu thereof the figures "\$172,000." - CARRIED.

It was moved by Alderman McCulloch and seconded by Alderman Agro.

RESOLVED: that Subsection (e) of Section 8, reading as follows:

"8. (e) That the Building Department's 1987 revenue estimates be increased by \$300,000."

be deleted. - CARRIED.

Council, by agreement, tabled Section 8 to deal with it in conjunction with the recommendation of the Finance Committee (Section 5) which deals with the financing.

(D) PLANNING AND DEVELOPMENT COMMITTEE - FIFTEENTH REPORT.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Christopherson, Collins, Wheeler, Smith, Merling. - 11.

NAYS: Alderman Copps. - 1. CARRIED.

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Recorded vote on Section 26.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Christopherson, Smith, Gallagher, Merling, Murray. - 11.

NAYS: Alderman Wheeler. - 1. CARRIED.

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(D) PLANNING AND DEVELOPMENT COMMITTEE - THIRTEENTH REPORT (1987).

It was moved by Alderman McCulloch and seconded by Alderman Agro.

RESOLVED: that Subsection (a) of Section 5 of the THIRTEENTH Report of the Planning and Development Committee for the year 1987, which was adopted by City Council at its meeting held June 23, 1987, reading as follows:

"5. (a) That APPROVAL be given to Official Plan Amendment No. 50 to create a special policy area to permit business and professional offices within the existing building and the City Solicitor be directed to prepare a by-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.",

be reconsidered. - CARRIED.

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It was moved by Alderman McCulloch and seconded by Alderman Agro.

RESOLVED: that Subsection (a) of Section 5 of the THIRTEENTH Report of the Planning and Development Committee for the year 1987, which was adopted by City Council at its meeting held June 23, 1987, be rescinded. - CARRIED.

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It was moved by Alderman McCulloch and seconded by Alderman Agro.

RESOLVED: that Subclause (iv) of Subsection (b) of Section 5 of the THIRTEENTH Report of the Planning and Development Committee for the year 1987, which was adopted by City Council at its meeting held June 23, 1987, reading as follows:

"(iv) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of the Official Plan Amendment No. 50.",

be reconsidered. - CARRIED.

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It was moved by Alderman McCulloch and seconded by Alderman Agro.

RESOLVED: that Subclause (iv) of Subsection (b) of Section 5 of the THIRTEENTH Report of the Planning and Development Committee for the year 1987, which was adopted by City Council at its meeting held June 23, 1987, be deleted and replaced with the following:

"(iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area." - CARRIED.

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It was moved by Alderman McCulloch and seconded by Alderman Agro.

RESOLVED: that Section 5 of the THIRTEENTH Report of the Planning and Development Committee for the year 1987, be adopted, as amended. - CARRIED.

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(E) LEGISLATION COMMITTEE - ELEVENTH REPORT.

Recorded vote on Section 8.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Gallagher, Merling, Murray. - 13.

NAYS: Aldermen Kiss, Valeriano. - 2. CARRIED.

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The question was called for on Section 12.

YEAS: Aldermen Kiss, McCulloch, Hinkley, Smith, Gallagher,
Merling, Murray. - 7.

NAYS: Mayor Morrow; Aldermen Cooke, Agro, Valeriano, Copps,
Christopherson, Collins, Wheeler. - 8. LOST.

It was moved by Alderman Agro and seconded by Alderman Wheeler.

RESOLVED: that Section 12 be tabled. - LOST.

Recorded vote on Section 12.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Collins, Wheeler. - 5.

NAYS: Aldermen Kiss, McCulloch, Valeriano, Hinkley, Copps,
Christopherson, Smith, Gallagher, Merling, Murray. - 10. LOST.

(F) PERSONNEL COMMITTEE - TWELFTH REPORT.

(G) FINANCE COMMITTEE - TWELFTH REPORT.

The question was called on the motion of Mayor Morrow to amend
Section 8 of the FOURTEENTH Report of the Planning and Develop-
ment Committee.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Valeriano,
Copps, Wheeler, Murray. - 8.

NAYS: Aldermen Cooke, Christopherson, Collins, Smith,
Merling. - 5. CARRIED.

Section 8 of the FOURTEENTH Report of the Planning and Develop-
ment Committee, as amended, was now considered.

It was moved by Mayor Morrow and seconded by Alderman McCulloch.

RESOLVED: that Section 8 of the FOURTEENTH Report of the Planning and Development Committee be amended by:

(a) deleting the staff listed in subsection (a), reading as follows:

"Four Building Inspectors, Four Zoning Examiners and Code Correlators, Four Stenographer III's",

and substituting in lieu thereof the following:

"Three Zoning Examiners and Code Correlators
One Stenographer III."

(b) deleting the figures "\$172,000." in Subsection (c) and substituting in lieu thereof the figures "\$60,000.00". -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Copps, Wheeler. - 8.

NAYS: Aldermen Christopherson, Collins, Smith, Gallagher, Merling, Murray. - 6. CARRIED.

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It was moved by Alderman Collins and seconded by Alderman Copps.

RESOLVED: that Subclause (i) Subsection (a) of Section 13 be amended by deleting the amount of "\$1,000." in the first line and substituting in lieu thereof the amount of "\$2,500." - CARRIED.

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It was moved by Alderman Christopherson and seconded by Alderman Valeriano.

RESOLVED: that Section 15 be amended by adding the following as Subsection (c):

"(c) That a copy of Subsection (b) above be forwarded to the City's representative on the Social Housing Council of Hamilton." - CARRIED.

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(H) HAMILTON-SCOURGE SPECIAL COMMITTEE - FIRST REPORT.

Recorded vote on Section 2.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Smith, Gallagher, Merling, Murray. - 14.

NAYS: Alderman Wheeler. - 1. CARRIED.

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It was moved by Alderman Wheeler and seconded by Alderman McCulloch.

RESOLVED: that Alderman J. Gallagher be appointed Acting Mayor for the month of August, A.D., 1987. - CARRIED.

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It was moved by Alderman Wheeler and seconded by Alderman McCulloch.

RESOLVED: that the Report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. - CARRIED.

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It was moved by Alderman Wheeler and seconded by Alderman McCulloch.

RESOLVED: that the following Bills be now read a first time.

A-23, A-24, A-25, A-26, A-27, A-28, A-29, A-30,
B-48, B-49, B-50, B-51, B-52, B-53, B-54, B-55, B-56, B-57, B-58,
B-59, B-60, B-61, B-62, B-63, B-64, B-65, B-66, B-44, B-45,
D-94, D-95, D-96, D-97, D-98, D-99, D-100, D-101, D-102, D-103,
D-104,
E-12 - CARRIED.

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It was moved by Alderman Wheeler and seconded by Alderman McCulloch, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Smith in the chair.

A-23, A-24, A-25, A-26, A-27, A-28, A-29, A-30,
B-48, B-49, B-50, B-51, B-52, B-53, B-54, B-55, B-56, B-57, B-58,
B-59, B-60, B-61, B-62, B-63, B-64, B-65, B-66, B-44, *B-45,
D-94, D-95, D-96, D-97, D-98, D-99, D-100, D-101, D-102, D-103,
D-104,
E-12.

*It was moved by Alderman Capps and seconded by Alderman Christopherson.

RESOLVED: that Subsections (3) and (4) of Section 2 of Bill No. B-45, A By-law to Amend Noise Control By-law No. 79-292 Respecting Various Amendments, reading as follows:

"(3) Subsection 2(3) of the said by-law is repealed and the following substituted therefor:

(3) Clause 2(1)(a) and clause 2(1)(c) do not apply to the area north of Barton Street and east of Wellington Street except where the sound resulting from a stationary source or from an act,

(a) is industrial noise that exceeds the background noise by more than 5 db;

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- (b) is non-industrial noise and the stationary source referred to in clause 2(1)(a) or the act referred to in clause 2(1)(c) is located as provided in section 4 of schedule 5.

- (4) For the purpose of subsection 3, normal background noise means traffic noise determined by the noise control officer in accordance with Publication NPC-106 - Sound Levels of Road Traffic.",

be referred back to the Transport and Environment Committee, and that Mr. F. Westaway, Noise Control Officer, be invited to attend the meeting to clarify the intent of the motion, reading as follows:

"That the City of Hamilton Noise By-law 72-292 be amended to include, with a plus five decibal specification, the area north of Barton Street and east of Wellington north, to the easterly limits of the City.",

passed by City Council at its meeting held December 9, 1986 and, further, that outstanding items of the December 1st, 1986 Joint Meeting of the Transport and Environment Committee and the Pollution Control Sub-Committee be addressed at that time. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Gallagher, Merling. - 14.

NAYS; Alderman Murray. - 1. CARRIED.

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Consideration of the Bills (second reading).

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It was moved by Alderman Wheeler and seconded by Alderman McCulloch.

RESOLVED: that the report of the Committee of the Whole (second reading) on the Bills be adopted. - CARRIED.

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It was moved by Alderman Wheeler and seconded by Alderman McCulloch.

RESOLVED: that the following Bills be now read a third time.

A-23, A-24, A-25, A-26, A-27, A-28, A-29, A-30,
B-48, B-49, B-50, B-51, B-52, B-53, B-54, B-55, B-56, B-57, B-58,
B-59, B-60, B-61, B-62, B-63, B-64, B-65, B-66, B-44, B-45,
D-94, D-95, D-96, D-97, D-98, D-99, D-100, D-101, D-102, D-103,
D-104,
E-12 - CARRIED.

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4. Attached for the information of the members of City Council, as **Schedule "A"** is a copy of a Summary of Capital Projects in Progress as at June 30th, 1987.

NOTE: Detailed reports relative to the specific projects are available from the Secretary, Executive Committee or the City Treasurer.

5. That the timetable for the preparation and review of the 1988-1992 Capital Budget be as follows:
 - (a) Notify departments/boards to prepare their Capital Budget material (this was done July 10, 1987)
 - (b) Month of August - Departments/boards arrange to have capital projects approved by Standing Committees for forwarding to Executive Committee for consideration to include in Capital Budget.
 - (c) September 1 - Deadline for returning copies of "Individual Capital Budget Submission" forms to Treasury in order to prepare preliminary Capital Budget.
 - (d) Month of October - Executive Committee reviews individual capital projects with departments/boards during regularly scheduled meetings or if necessary at additional special meetings.
 - (e) Months of November and December - completion of review by Executive Committee and compilation of final Capital Budget documentation by Treasury.
 - (f) January 7 and January 21, 1988 - Executive Committee recommends 1988 - 1992 Capital Budget to City Council.
 - (g) January 26, 1988 - City Council considers approval of the 1988 - 1992 Capital Budget.

6. That the City owned property known municipally as 76 Parkdale Avenue North, being Municipal Carpark No. 52, having a frontage along the eastern limit of Parkdale Avenue North of 60 feet by a depth of 105 feet, be deemed surplus to municipal requirements and be disposed of on the open market.

NOTE: This land which is zoned "H" Commercial is being utilized as a municipal parking lot at present but is no longer required by the Parking Authority.

Staff have circulated the above information to the Region and various City departments in order to determine whether the subject land is required for any other municipal purpose, the response has been negative.

For the information of the Members of City Council, Parkdale Gospel Temple, the owner of abutting land on both sides of this City owned land, has indicated its interest in purchasing the subject land at market value. Therefore, if the sale is approved, the church will be given first opportunity to purchase the land.

7. That the account of Martin & Martin, Barristers and Solicitors in the amount of \$12 064.58 for services rendered between October 2nd, 1986 and May 11th, 1987 on behalf of the City in connection with the Hamilton Eaton Centre, be approved for payment and financed from the Reserve for Property Purchases - Account No. 0283-02.
- * 8. (a) That the Social Planning and Research Council be authorized to undertake a Social Impact Assessment of non-profit housing in Hamilton as outlined in its proposal of June 1987, subject to the following amendments approved by the Board of Directors of the Municipal Non-Profit (Hamilton) Housing Corporation:
- (i) that funding be requested from the Province on a 50/50 basis to help cover the estimated \$24 000 cost of the study, and, should that request be denied, that the City cover the cost of the study in total,
 - (ii) that the private non-profit project to be studied be a mature project in a mature neighbourhood,
 - (iii) that a list of potential private non-profit housing projects to be studied be submitted to the Board of Directors of the Municipal Non-Profit (Hamilton) Housing Corporation for participation in the selection process, and

* Proposed amendment lost
Recorded Vote See Page 1427

- (iv) that the Social Planning & Research Council report back to the Board of Director's of the Municipal Non-Profit (Hamilton) Housing Corp. on the study results, prior to the study being made public.
- (b) That the Finance Committee be requested to recommend the method of financing the \$24 000 cost of the study on the understanding that this may be reduced to \$12 000 if Provincial funding is obtained.

NOTE: City Council, at its meeting of May 12, 1987, considered the social impact assessment of the 772 Upper Paradise housing project as originally proposed by the Social Planning and Research Council. At that time, the cost of the study was estimated at \$10 604 of which funding of \$3 393 was available for a student researcher, leaving a shortfall of \$7 211 for which City funding was requested.

City Council referred this matter to the Municipal Non-Profit (Hamilton) Housing Corp. so that the terms of reference might be broadened to include other non-profit projects that have been in existence for longer periods of time.

The Municipal Non-Profit (Hamilton) Housing Corp. considered a revised proposal from Social Planning & Research Council at its meeting of June 17, 1987. The revised proposal would study both the 772 Upper Paradise Project and an existing private non-profit project.

It was the decision of the Municipal Non-Profit (Hamilton) Housing Corp. to adopt the report subject to the following amendments:

- (i) that funding be requested from the Province on a 50/50 basis to help cover the estimated \$24 000 cost of the study, and, should that request be denied, that the City cover the cost of the study in total,
- (ii) that the private non-profit project to be studied be a mature project in a mature neighbourhood,
- (iii) that a list of potential private non-profit housing projects to be studied be submitted to the Board for participation in the selection process, and
- (iv) that the Social Planning & Research Council report back to this Board on the study results, prior to the study being made public.

The cost of the revised study is now estimated at \$24 000. The reason for this increase is the timing of the study which precludes the use of students under a government program as originally anticipated. In addition, the revised proposal requires input and supervision from additional staff at a high wage. Of the total project cost, 75% is made up of staff salaries.

A request has been made to the Province to fund half the study. A response has not been obtained but is recommended that to facilitate project start, the City be prepared to fund the entire \$24 000 cost of the study on the understanding that if Provincial funding is received, that cost will be reduced to \$12 000.

9. (a) That "Blue Boxes" for recycling materials be supplied to all households in accordance with the following schedule:
- | | |
|------------------|-------------------|
| - September 1987 | 27 000 households |
| - January 1988 | 27 000 households |
| - March 1988 | 27 000 households |
- (b) That the gross cost of introducing "Blue Boxes" in the amount of \$631 850 be approved with the understanding that both the Provincial Ministry of Environment and Ontario Multi-Material Recycling Inc. will share the cost in the amount of \$205 342 and \$221 166 respectively, leaving a balance of \$205 342 to be the City's cost.
- (c) That the net cost of this Capital Project in the amount of \$205 342 be funded from the Reserve for Capital Projects -Account No. 0280-27.
- (d) That the Director of Public Works apply to the Ministry of the Environment and the Ontario Multi-Material Recycling Inc. for subsidy with respect to this Program.

NOTE: This project is not included in the five-year Capital Budget Program, however, the net cost of this project can be allocated from the \$1 500 000 Contingency in the five year Capital Budget Program to stay within the self-imposed limit of financing.

The Transport and Environment Committee approved this Project at its meeting held July 20, 1987.

10. (a) That the construction of the Terryberry Library addition, second floor, included in the Five Year Capital Budget Program in the amount of \$1 190 000, with a subsidy from the Provincial Ministry of Citizenship and Culture in the amount of \$595 000 leaving a net cost to the City of \$595 000 be increased to the gross cost of \$1 566 000 with the revised Provincial subsidy of \$783 000, leaving a net balance to be financed by the City in the amount of \$783 000.
- (b) That the total cost of this Project be approved and the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for this Project at a total estimated cost of \$1 566 000 and the authority to finance this Project by the issuance of debentures in the amount of \$595 000 for a period not to exceed 15 years, and the balance of \$188 000 to be financed from the Reserve for Capital Projects - Library, Account No. 0280-43 and further that application be made to the Regional Municipality of Hamilton-Wentworth for consent to issue debentures in the amount of \$595 000 for a period not to exceed a 15 year term.

NOTE: The Hamilton Public Library Board approved the increased costs at its meeting May 22, 1987.

The Library Board has advised that the cost increase has been caused by the following construction details that were not available in the Fall of 1986 when preliminary estimates for this Project were prepared:

- (a) Significant interior changes to the basement and ground floors in order to provide an additional fire stair exit and to provide for more efficient use of these floor areas.
 - (b) Structural upgrade of roof structure
 - (c) Seismic reinforcing of existing structure
 - (d) Increase size of elevator shaft required by building code.
 - (e) Fire alarm system.
11. That the Project - Specialized Office Equipment and Furnishings - Hamilton Public Library Board at a total cost of \$107 000 as provided for in the 1987 portion of the 1987 - 1991 Capital Budget as Project No. 37000 be proceeded with and financed from the Reserve for Capital Projects - Library, Account No. 0280-43.

NOTE: The Hamilton Public Library Board approved this Project at its meeting on May 22, 1987.

- * 12. That the cost of a Professional Advisor for the New Crystal Palace in the amount of \$40 100, previously funded on an interim basis from the Waterfront Park Consulting Service Account No. 0408-G46283, be financed from the Reserve for Capital Projects Account No. 0280-27.

NOTE: The Parks and Recreation Committee at its meeting held July 21, 1987 dealt with this matter and requested the Executive Committee to determine the method of financing for the cost of the new Professional Advisor.

13. That Mrs. Cheryl A. Lowe be appointed Director of Human Resources by contract for a five (5) year period at a salary within the Commissioners range and with the fringe benefits associated thereto.
14. That the additional grant in the amount of \$3 000 for the Canusa Games 30th Anniversary Celebrations, as approved and recommended by the Finance Committee at its meeting July 21, 1987 be charged to Account No. 0370-0263 - "Hosting Conferences With Municipal Subject Content".
15. That Mayor R. M. Morrow or his designate be authorized to accompany the Royal Hamilton Light Infantry Veteran's Association to Dieppe, France, in August 1987 to represent the City in the Memorial Services to be conducted on that occasion to commemorate the 45th Anniversary of the Dieppe Raid during World War Two.

NOTE: For the information of the Members of the City Council, these Memorial Services are held every five years and for the past six (6) such occasions, since 1957, the City of Hamilton has had representation at this Service.

16. (a) That an amount of \$4 000 be made available to provide for Hospitality and Promotional Material for the 1987 CPRA Conference being held in St. John's Newfoundland August 6 - 11, 1987.
- (b) That Mr. J. Schatz, who is a member of the 1989 CPRA Organizing Committee be authorized to attend the 1987 Conference.
- (c) That the costs be charged to Account No. 0370-0263 - "Hosting Conferences with Municipal Subject Content."

*Recorded Vote, see page 1428

17. (a) That the Council of the Corporation of the City of Hamilton endorse and strongly support the Hamilton and District Labour Council's efforts to establish basic adult literacy in the workplace.
 - (b) That Mayor R. M. Morrow, on behalf of the Council be authorized to forward a letter appended hereto as **Schedule "B"** to the Ministry of Skill Development of the Province of Ontario conveying City Council's position and support on this matter.
 - (c) That a copy of Mayor Morrow's letter be forwarded to all area M.P.P.'s and M.P.'s.
18. (a) That a "Consumer Intercept Study" at a cost not to exceed \$1 000 be undertaken to determine the shopping behaviour and patterns of the Farmers' Market patrons.
 - (b) That the Finance Committee be requested to recommend the method of financing the cost of this Study.

NOTE: This Study will determine the shopping behaviour of patrons as it relates to one-stop shopping vs multiple shopping; utilization of public transit and parking needs.

The Executive Committee is of the opinion that this information will be of assistance to the Committee and Council in dealing with a request from the Farmers' Market Stallholders' Association for improved parking facilities to service the Farmers' Market.

19. That leave be granted to introduce the following Bills:
 - (a) Bill A-23 : A By-law to Authorize the Improvements Within the Area Bounded by James Street to Wellington Street Between Main Street and King William Street.
 - (b) Bill A-24 : A By-law to Authorize the Construction of a New Public Works Yard at or Near Turner Farm on Regional Road East to Serve Districts 3, 4, and 5 and Mount Hamilton Cemetery.
 - (c) Bill A-25 : A By-law to Authorize the Erection of a 72-foot Diameter Salt Dome Structure in Each of District 2 Yard (Ferguson Yard) and District 3 Yard (Brampton Yard).
 - (d) Bill A-26 : A By-law to Authorize the Purchase of Two High Density Packers for the Collection and Removal of Garbage and Other Refuse.

- (e) Bill A-27 : A By-law to Authorize the Purchase of One Garbage Packer, One Snow Blower and One Automatic Sand/Plow Unit.
- (f) Bill A-28 : A By-law to Authorize the Continued Development to Mohawk Sports Park Community Recreation Centre to Provide Picnic Areas, Lighting System and Landscaping.
- (g) Bill A-29 : A By-law to Authorize the Establishment of Bicycle Paths and/or Lanes Phases 3 and 4.
- (h) Bill A-30 : A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted

MAYOR R. M. MORROW, CHAIRMAN
EXECUTIVE COMMITTEE

J. J. Schatz, Secretary
Executive Committee
1987 July 23
/dg

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

		as at June 30, 1987							
Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		
		Start (3)	Finish (4)				Construction (8)	Budget (9)	
(1-50)	General Administration								
1	Energy Conservation Program - 1983	07/83	12/87	200	176	24	Yes	Yes	
2	Ceramic Belting Replacement and Window Repair - City Hall	01/85	06/87	100	60	40	Yes	Yes	
3	Energy Conservation Projects - City Hall	06/84	12/87	730	71	686	Yes	Yes	
4	Capital Construction Grant - General Hospital	10/85	12/87*	870	856	14	Yes	Yes	
6	Major Maintenance to Civic Buildings	05/86	12/87	200	190	10	Yes	Yes	
9	Treasury Department Computer Program - Data Base and Fourth Generation Language	09/86	12/89*	550	Nil	550	Yes	Yes	
10	Handicapped Access to Recreational Buildings	09/86	12/88	100	Nil	100	Yes	Yes	
11	Energy Conservation Projects	05/86	12/87	50	Nil	50	Yes	Yes	
12	Construction Costs/Accommodation Requirements - Aldermen's Offices	06/86	05/87	705	614	92	Yes	Yes	
13	Construction Costs/Accommodation Requirements - City Hall	07/86	12/87	88	43	45	Yes	Yes	
14	Capital Construction Grant - H.S.P.C.A.	04/87	04/87	139	139	Nil	Yes	Yes	
15	Relocation Expenses - Human Resources Centre	04/87	06/87	51			Yes	Yes	
16	Summer's Lane and Plaza Landscaping and Entrance Improvement			200					
17	Treasury Department - Computer Software	08/87	12/87	750			Yes	Yes	

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)
as at June 30, 1987

Item No.	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Start (3)	Finish (4)				Yes or No	
							Construction (8)	Budget (9)
(1-50)	General Administration - Continued							
18	Treasury Department Computer Environment Improvements	09/87	06/88	350			Yes	Yes
19	City Hall Computer Workstation Furniture	08/87	06/88	100			Yes	Yes
20	Energy Conservation to Civic Buildings			250				
21	Major Maintenance to Civic Buildings			250				
22	Construction Costs - Accommodations - City Hall			132				
(51-100)	Protection to Persons & Property							
52	Fire Stn. E. Mountain - Limeridge Rd. & Upper Ottawa St./Construction	05/87	12/87	960	842	118	Yes	Yes
53	Fire Stn. E. Mountain, Limeridge Rd. & Upper Ottawa - Vehicle Purchase	06/86	11/87	275	258	17	Yes	Yes
54	Fire Stn. - Stone Church Road & Upper Wellington/Land Acquisition	08/86	09/87	160	1	159	Yes	Yes
(101-150)	Department of Transportation							
102	Land Acquisition - Fessenden & Gurnett Neighbourhoods	1986	1987	365	Nil	365	Yes	No
103	Road Access - Riverdale East Neighbourhood	08/86	10/88	377	16	361	No	Yes

07/28/87

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)
as at June 30, 1987

Item No.	Project Description	Month/Year of Project		Gross Cost	Expended and Committed	Balance Available	Is the Project on Target?	
		Start	Finish				Construction	Budget
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Department of Transportation - Continued								
104	MacNab & Mary Street Bridges							
	Over C.N. Rail & Parkdale Bridge							
	Over Lawrence Road	08/86	12/87	135	10	125	Yes	Yes
105	Windermere Basin - Clean Up	1986	1987	750			Yes	Yes
106	Roxborough Avenue Reconstruction	06/86	08/87	390	364	26	Yes	Yes
108	High Level Bridge Street Lighting			155			Yes	Yes
Parking Authority								
201	Victor K. Copps Trade Centre/Arena Parking Facilities	02/84	Unknown	1,700	1,431	269	No	Yes
202	Victor K. Copps Trade Centre/Arena Parking Facilities Additional Costs	09/85	Unknown	590	261	329	No	Yes
203	Parking Facility in Southeast Quadrant	1986	Unknown	800	Nil	800	No	Yes
204	Construction of Parking Garage - York Boulevard and MacNab Street	05/87	12/87	7,200	7,013	187	Yes	Yes
205	Land Acquisition and Development of Additional Parking Facilities in Various Locations	1987	Unknown	200			Yes	Yes

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City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)
as at June 30, 1987

Item No.	Project Description	Month/Year of Project		Gross Cost	Expended and Committed	Balance Available	Is the Project on Target?	
		Start	Finish				Construction	Budget
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
(251-300) Department of Public Works								
251	Replacement of Wentworth Street Steps - Lower Section	10/85	09/87*	230	171	59	Yes	Yes
253	Addition/Alterations to Yard Bldg. Brampton St. Dist. #3	12/85	08/87*	293	293	Nil	Yes	Yes
254	Replacement of James Street Steps	05/86	09/87	300	91	209	Yes	Yes
255	Construction of Salt Dome - Chedoke Maintenance Depot	05/86	08/87	131	110	21	Yes	Yes
256	Centralized Computer Fuel System	05/86	11/87*	300	226	74	Yes	Yes
257	Water Course Drop Structure - West of 350 Quigley Road	05/86	12/87	100	Nil	100	Yes	Yes
258	New Equipment Sanitation Division	04/87	12/87	180	169	11	Yes	Yes
259	Construction of New Mountain Public Works Yard	07/87	09/88	2,007	2	2,005	Yes	Yes
260	New Equipment Central Garage	04/87	10/87	68	64	4	Yes	Yes
261	New Equipment Streets Division	05/87	12/87	340	151	189	Yes	Yes
262	Construction of Salt Dome Districts 2 and 3	06/87	12/87	310	1	309	Yes	Yes
(301-350) Department of Culture & Recreation								
301	Replacement of Ice Making System - Coronation Arena	05/86	08/87	725	481	244	Yes	Yes
302	Parkland Acquisition Programme	01/85	Unknown	500	1	499	Yes	Yes
303	Replacement of Ice Making System - Inch Park Arena	10/85	08/87	900	684	216	Yes	Yes
304	Replacement of Ice Making System - Parkdale Arena	05/86	08/87	725	492	233	Yes	Yes

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City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)
as at June 30, 1987

Item No.	Project Description	Month/Year of Project		Gross Cost	Expended and Committed	Balance Available	Is the Project on Target?	
		Start	Finish				Construction	Yes or No
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Department of Culture and Recreation - Continued								
306	Replacement of Ice Making System - Eastwood Arena	05/86	08/87	725	535	190	Yes	Yes
307	Bikepaths (Phase 1)	05/86	05/87	330	62	268	Yes	Yes
308	Replacement of Ice Making System - Scott Park Arena	05/86	09/87	600	395	205	Yes	Yes
309	Construction of West Mountain Twin Arena - Mohawk and Upper Horning	Unknown	Unknown	6,605	185	6,420	No	Yes
310	Golf Cart Storage Facility - King's Forest Golf Courses	06/87	12/87	50		50	Yes	Yes
311	Bike Paths (Phases 2, 3 & 4)	05/87	12/89	990		990	Yes	Yes
312	Renovations Artificial Ice Rink - Scott Park	06/87	12/87	350	14	336	No	Yes
313	Hamilton Tennis Club - Improvements to Court Lighting	06/87	08/87	50	41	9	Yes	Yes
314	Brian Timmis Stadium Parking	05/87	08/87	150	86	64	Yes	Yes
Parks Division								
351	Ivor Wynne Stadium - Rehabilitation of N/S Stands - Press Boxes, Etc.	04/86	12/88	1,275	972	303	Yes	Yes
352	Ivor Wynne Stadium - Rehabilitation of North/South Stands	04/85	06/88	625	358	267	Yes	Yes
353	Mohawk Sports Park (Stage IV)	10/82	11/87*	550	462	88	Yes	Yes
354	Waterfront Parks Development - Study Phase	09/84	12/87	150	139	11	Yes	Yes

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)

as at June 30, 1987

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Start (3)	Finish (4)				Construction (8)	Yes or No Budget (9)
(351-400) Parks Division - Continued								
355	Mohawk Sports Park (Stage V)	08/85	08/87*	650	631	19	Yes	Yes
356	Chedoke Golf Course Storage and Workshop	06/86	06/88*	161	Nil	161	No	Yes
357	Track Facility - Mohawk Sports Park	05/86	11/87	300	Nil	300	No	Yes
358	Floodlighting Fields - Mohawk Sports Park	10/86	07/87*	120	Nil	120	Yes	Yes
359	Waterfront Parks Development - Environmental Study	06/86	12/86	600	599	1	Yes	Yes
360	Waterfront Parks Development - Consulting Services	06/86	12/87	200	132	68	Yes	Yes
361	Half-way House - Chedoke Golf Course	05/86	08/87*	60	55	5	Yes	Yes
362	Mohawk Sports Park (Stage 6)	06/87	08/88	630	1	629	Yes	Yes
363	Mohawk Sports Park Construction of Utility Building	07/87	04/88	198		198	Yes	Yes
(401-450) H.E.C.F.I.								
401	Central Utilities Plant - New Equipment	05/85	10/87*	316	269	47	Yes	Yes
402	Victor K. Copps Trade Centre/Arena	08/83	12/90	41,179	39,946	1,483	Yes	Yes
403	Automated Facilities Management Computer System	06/86	12/88	83	9	74	Yes	Yes

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City of Hamilton
Treasury

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SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)

as at June 30, 1987

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Start (3)	Finish (4)				Construction (8)	Budget (9)
<u>(401-450) H.E.C.F.I. - Continued</u>								
404	Victor K. Copps Trade Centre/Arena Renovations	07/87	12/87	130		130	Yes	Yes
405	Corporate Expense - Office Equipment	05/87	12/87	10	4	6	Yes	Yes
406	Corporate Expense - Equipment for Marketing Offices	05/87	09/87	23	12	11	Yes	Yes
407	Central Utilities Plant - New Equipment	06/87	12/87	237		237	Yes	Yes
<u>(501-550) Hamilton Public Library Board</u>								
501	Kenilworth Branch Renovations	05/86	10/87	471	231	240	Yes	Yes
502	Replacement - Specialized Office Equipment and Furnishings			107			Yes	
503	Terryberry Library Addition - 2nd Floor			1,190			Yes	
<u>(601-650) Planning</u>								
601	Enclaves Clearance	08/87	12/91	3,000			Yes	Yes

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City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)
as at June 30, 1987

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Budget (9)
		Start (3)	Finish (4)				Construction (8)	Yes or No	
(651-700) Hamilton Convention Centre									
651	Hamilton Convention Centre Furniture & Equipment	06/86	12/87*	62	54	8	Yes		Yes
652	Hamilton Convention Centre Furniture and Equipment	06/87	04/88	288	19	269	Yes	<div>No</div>	Yes
653	Hamilton Place - Roof Replacement			335				<div>No</div>	
654	Hamilton Place - Carpet Replacement			150				<div>No</div>	
(701-750) Community Development Department									
701	Downtown Action Plan - Phase III B	07/86	07/87	1,300	1,222	78	Yes		Yes
702	Downtown Action Plan - Phase II	07/85	07/87	1,603	1,600	3	Yes		Yes
703	Downtown Action Plan - Gore Park Area & Extension	07/83	12/87	3,529	3,526	3	Yes		Yes
704	James St. North Streetscape	07/86	12/88	1,764	60	1,704	Yes		Yes
705	Facade Improvement Program	05/86	12/87	100	100	Nil	Yes		Yes
706	Downtown Action Plan - Phase IV	05/87	12/88	1,429	26	1,403	Yes		Yes
707	O.N.I.P. Corktown/Stinson	05/87	12/90	900	72	828	Yes		Yes
708	Facade Improvement Programme	07/87	Unknown	200		200	Yes		Yes
709	Facade Improvement Programme	07/87	Unknown	600		600	Yes		Yes
710	Downtown Action Plan - C.I.B.C.			80			Yes		Yes
711	Commercial Improvement Programme	06/87	12/91	2,500		2,500	Yes		Yes
712	Industrial Revitalization			2,000				<div>No</div>	
713	Streetscape Improvements - York Boulevard - MacNab To James Street	06/87	12/87	100	10	90	Yes		Yes

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07/28/87

1987 July 15

BLH:pj

Schedule "B" as referred to in
Section 17 of the Fourteenth
Report of the Executive Comm.

Ministry Of Skills Development.
Mowat Block, Third Floor
900 Bay Street
Toronto, Ontario M7A 1L2

Dear

On behalf of the Council of the Corporation of the City of Hamilton, I wish to make you aware of our strong support for the proposed Worker Education Centre of the Hamilton and District Labour Council (in cooperation with McMaster University).

Hamilton City Council has long viewed the problem of illiteracy with great alarm. The Adult Basic Education Association of Hamilton has identified functional illiteracy as a major problem in the city, with an illiteracy rate higher than that of many cities in Ontario, including Toronto. We believe the Worker Education Centre will be an integral part of a well organized and cooperative network of adult educators serving the needs of working people in Hamilton.

As well, the English in the Workplace component of the Centre will complement the activities of existing English as a Second Language programmes in Hamilton. We believe that helping newcomers to learn English will not only ease the difficulty associated with a language barrier in the workplace, but will encourage greater participation in the community as well. The Mayor's Race Relations Committee was formed in part in order to ease racial tensions among ethnic groups in the city. The English in the Workplace Programme cannot fail to help meet this important objective by endeavouring to involve immigrant workers more fully in their places of employment.

The City of Hamilton is pleased to support this initiative. We have long admired the progressive and socially responsible activities of the Labour Council. The City Council is confident that not only is this educational work within the mandate of the HDLC; we believe they will endeavour to provide the highest quality programmes possible. We urge the Ministry to support this worthwhile project.

Sincerely,

c.c.: Mr. Dave Wilson, HDLC
Dr. Robert Storey, McMaster Lab. Studies
Area M.P.P.'s
Area M.P.'s

* REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its FIFTEENTH Report for 1987 and respectfully recommends:

1. That the gross cost of the proposal to prepare the Environmental Assessment and the related documentation for the Waterfront Master Plan, outlined in a report by B.A.R. Environmental July 1987 in the amount of \$277 000, be financed on an interim basis from the Reserve for Capital Projects Account No. 0280-27.

NOTE: The Parks and Recreation Committee approved this Project at a special meeting held Tuesday, July 28, 1987.

Once the Waterfront Park "A" Development, included in the 1987 - 1991 5 Year Capital Program (No. A38003, Page 14) in the total amount of \$30 550 000 with a net cost to the City of \$4 000 000 (the difference being Federal and Provincial share) receives approval from Council in 1988 or later, the Reserve for Capital Projects Account No. 0280-27 should be replenished from this funding at this time.

Respectfully Submitted

Mayor R. M. Morrow, Chairman
Executive Committee

J. J. Schatz, Secretary
Executive Committee

1987 July 28

* FIFTEENTH Report of the Executive Committee,
Added during Council.

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Transport and Environment Committee presents its ELEVENTH Report for 1987 and respectfully recommends:

- * 1. That an Offer to Purchase the property at the north east corner of Upper Gage Avenue and Loconder Drive executed by Walter Galdenzi, President of 568434 Ontario Inc. on June 12, 1987 and scheduled for closing on September 8, 1987 be approved and completed.

NOTE: The subject property has a frontage along the westerly limit of Upper Gage Avenue of 15.105 metres (49.5 feet) by a depth of 45.43 metres/56.07 metres (149.04 feet/183.96 feet) containing 547.80m² (5,896.66 square feet) shown as Part 1 on Plan 62R-6257. The purchase price of \$11 200 is to be credited to account 0280-02. A certified deposit cheque in the amount of \$1 000 is being held by the City Treasurer pending approval of this transaction.

It is understood and agreed that this Offer to Purchase is conditional upon the Purchaser paying all of the costs to lift the one foot reserve shown as Part 2 on Plan 62R-6257, on or before the closing date of September 8, 1987 at which time the Regional Surveyor is directed to take the necessary actions to incorporate this one foot reserve into the road allowance by the passing of a by-law; and subject to any subdivision agreements which will be entered into by the Purchaser and the Regional Municipality of Hamilton-Wentworth and the City of Hamilton. Failing this, this Offer shall be null and void and the Purchaser's deposit shall be returned in full without interest or penalty.

- 2. (a) That purchase orders be issued for the supply and delivery of various lawn mowers, in accordance with specifications issued by the Manager of Purchasing and Vendor's tenders, as follows:

- i. ONTARIO TURF EQUIPMENT LTD., LONDON

In the amount of \$15 006.75 including applicable taxes for seventeen (17) 20" Jacobsen rotary mowers

NOTE: Only tender received. Funds provided in Reserve for Capital Projects Account #0280-28

- * Section 1 of the ELEVENTH Report of the Planning & Development Committee RESCINDED by City Council at its meeting held 1987, October 13.

* REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its FIFTEENTH Report for 1987 and respectfully recommends:

1. That the gross cost of the proposal to prepare the Environmental Assessment and the related documentation for the Waterfront Master Plan, outlined in a report by B.A.R. Environmental July 1987 in the amount of \$277 000, be financed on an interim basis from the Reserve for Capital Projects Account No. 0280-27.

NOTE: The Parks and Recreation Committee approved this Project at a special meeting held Tuesday, July 28, 1987.

Once the Waterfront Park "A" Development, included in the 1987 - 1991 5 Year Capital Program (No. A38003, Page 14) in the total amount of \$30 550 000 with a net cost to the City of \$4 000 000 (the difference being Federal and Provincial share) receives approval from Council in 1988 or later, the Reserve for Capital Projects Account No. 0280-27 should be replenished from this funding at this time.

Respectfully Submitted

Mayor R. M. Morrow, Chairman
Executive Committee

J. J. Schatz, Secretary
Executive Committee

1987 July 28

* FIFTEENTH Report of the Executive Committee,
Added during Council.

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Transport and Environment Committee presents its ELEVENTH Report for 1987 and respectfully recommends:

- * 1. That an Offer to Purchase the property at the north east corner of Upper Gage Avenue and Loconder Drive executed by Walter Galdenzi, President of 568434 Ontario Inc. on June 12, 1987 and scheduled for closing on September 8, 1987 be approved and completed.

NOTE: The subject property has a frontage along the westerly limit of Upper Gage Avenue of 15.105 metres (49.5 feet) by a depth of 45.43 metres/56.07 metres (149.04 feet/183.96 feet) containing 547.80m² (5,896.66 square feet) shown as Part 1 on Plan 62R-6257. The purchase price of \$11 200 is to be credited to account 0280-02. A certified deposit cheque in the amount of \$1 000 is being held by the City Treasurer pending approval of this transaction.

It is understood and agreed that this Offer to Purchase is conditional upon the Purchaser paying all of the costs to lift the one foot reserve shown as Part 2 on Plan 62R-6257, on or before the closing date of September 8, 1987 at which time the Regional Surveyor is directed to take the necessary actions to incorporate this one foot reserve into the road allowance by the passing of a by-law; and subject to any subdivision agreements which will be entered into by the Purchaser and the Regional Municipality of Hamilton-Wentworth and the City of Hamilton. Failing this, this Offer shall be null and void and the PURchaser's deposit shall be returned in full without interest or penalty.

- 2. (a) That purchase orders be issued for the supply and delivery of various lawn mowers, in accordance with specifications issued by the Manager of Purchasing and Vendor's tenders, as follows:

- i. ONTARIO TURF EQUIPMENT LTD., LONDON

In the amount of \$15 006.75 including applicable taxes for seventeen (17) 20" Jacobsen rotary mowers

NOTE: Only tender received. Funds provided in Reserve for Capital Projects Account #0280-28

- * Section 1 of the ELEVENTH Report of the Planning & Development Committee RESCINDED by City Council at its meeting held 1987, October 13.

ii. G. C. DUKE EQUIPMENT LTD., BURLINGTON

In the amount of \$14 700 including applicable taxes for two (2)
48" Scag riding mowers

NOTE: Only tender received. Funds provided in Reserve for
Capital Projects Account #0280-28.

- (b) That a purchase order be issued to Ashman Technical Ltd., Hamilton in the amount of \$16,199.80 including applicable taxes, for the supply and delivery of Diamond Saw Blades to Central Garage in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

As these items are required immediately, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

NOTE: Lowest of seven (7) tenders received. Funds provided in
Parts, Materials and Supplies Account #0348-0267

- (c) That a purchase order be issued to G. C. Duke Equipment Ltd., Burlington in the amount of \$67 197.79 including applicable taxes for the supply and delivery of One (1) 14 500 GVW Truck with Utility Body Hoist and Platform in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of two (2) tenders received. Funds provided in
Reserve for Capital Projects Account #0280-27.

- * 3. That the following organizations be permitted to display a promotional banner across Main Street West, in front of City Hall, on the dates indicated below, subject to the policy guidelines and conditions approved by City Council on October 29, 1985 and September 30, 1986.

- (a) Hamilton Hadassah Bazaar

October 24, 1988 to October 31, 1988

MESSAGE: HAMILTON HADASSAH BAZAAR CONVENTION CENTRE

MONDAY, NOVEMBER 1, 1988, 10:00 A.M. TO 8:00 P.M.

- (b) Leeds of Hamilton Ltd.

December 28, 1987 to January 4, 1988

MESSAGE: BRIDAL SHOW '88 HAMILTON CONVENTION CENTRE, JANUARY 5 &
6, 1988

* Recorded Vote, see page 1428

(c) Hamilton Theatre Inc.
April 4, 1988 to April 11, 1988
MESSAGE: HAMILTON THEATRE INC.
the best of Broadway -Proudly Presents-
since 1956
TICKETS
522-3032

SUGAR BABIES
The Musical
April 8,9,10,15,
16,17,23,24
SIR JOHN A.MACDONALD THEATRE

4. That the City Solicitor be authorized and directed to prepare a by-law to open up Part 1 of No. 396377 C.D. (Regional Plan #RA-H-343 Survey) as a highway for David Ben Survey Addition, Upper Kenilworth Street.
5. That the application of Claudio Dimarino, Solicitor on behalf of the present owner(s) of 239 Hunter Street West, Donald Oakie, to retain the following inadvertent encroachment consisting of a one storey brick building, 0.73m by 5.53m, be approved during the pleasure of City Council, provided:
 - (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$125 and subsequent annual fee of \$20 e set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
6. That the application of William E. Wall, Architect, on behalf of the present owner(s) of 191 Wilson Street, Ji-Hai Chang, to retain the following inadvertent encroachment on Cathcart Street, consisting of a two storey brick building 0.021m by 2.28m, be approved during the pleasure of City Council, provided:
 - (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$46 and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

7. That the application of Patrick Chetcuti, Solicitor, on behalf of the present owner(s) of 99 Cannon Street East, Collin Connors and John Pellizzari, to retain the following inadvertent encroachment consisting of a brick building, 0.108 m by 4.78 m, be approved during the pleasure of City Council, provided:
 - (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

8. That the application of Alva Joyce Wheatle, the present owner(s) of 195 Bay Street North, Hamilton to retain the following inadvertent encroachment on Sheaffe Street, consisting of a 3 story brick building, 0.12m by 3.048m, be approved during the pleasure of City Council, provided:
 - (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$46 and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

9. That the application of Arthur Robert Comporese, Solicitor on behalf of the present owner(s) of 3 Kinrade Avenue, Hamilton, Russel and Marlene Noseworthy, or in the event that the sale of the above property is concluded prior to registration of the encroachment agreement, Josey Eyford, the purchaser of said property, to retain the following inadvertent encroachment, consisting of wooden stairs 0.24m by 1.22m, be approved during the pleasure of City Council, provided:
 - (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.

- (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
10. That the application of Kenneth J. Higson, Solicitor, on behalf of the present owner(s) of 64 Canada Street, Hamilton, Dawn Patricia Boorman and Calvin Frederick Boorman to retain the following inadvertent encroachment on Canada Street consisting of a porch 0.68 m by 2.68 be approved during the pleasure of City Council, provided:
- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
11. That the following roads be temporarily closed, from 2:00 p.m. to 5:00 p.m., on Sunday, August 16, 1987, in order that Cycle Hamilton may hold the Hamilton Spectator Grand Prix Bicycle Race in the Hess Village area of downtown Hamilton:
- i. George Street, from Pearl Street to Hess Street, and
 - ii. Hess Street, from Main Street to King Street, and
 - iii. Pearl Street, from King Street to George Street
- with approval being subject to the following conditions:
- (a) That the applicant obtain "Temporary Street Closure Application approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control, will be subject to the direction of the Regional Police Department, and at the expense of the organizing group.
 - (b) That the applicant ensure that clean up operations will be carried out immediately before the re-opening of the road at no cost to the City.
 - (c) That the applicant provide proof of \$1 000 000 public liability insurance naming the City as an added insured party with a provision for cross liability and holds the City harmless from all actions interest, claims, demands, costs, damages, expenses and loss.

- (d) That the applicant deposit a cheque in the amount of \$300 with the Department of Public Works. This deposit is to ensure that the applicant conforms to all of the aforesaid conditions to the satisfaction of the Commissioner of Transportation. The cheque will be returned to the applicant after the event if the above conditions are satisfactorily met.
 - (e) That the applicant will be responsible for placing a suitably sized ad in the local newspaper advising of the event and work with the Hamilton Street Railway to provide a map showing alternative bus routes at the organization's expense.
 - (f) That the applicant reimburse the Regional Police, Department of Public Works, and the Hamilton Street Railway for any extra costs incurred by these agencies.
 - (g) That no property owner or resident with the barricaded area will be denied access to their property upon request.
12. (a) That the submitted schedules for the estimated cost of services in "Vignatico Village - Phase 1", approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) The approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- (c) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

NOTE: Clause 17(b) of the Fifth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1987 March 10, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owner of these lands is Constantino Construction Ltd.

- * 13. (a) That the submitted schedules for the estimated cost of services in "Templehead No. 2 Survey - Phase 4", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) The approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and

* Recorded Vote, see page 1428

- (c) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.
- (d) The City Subdivision Agreement includes the necessary provisions which would require the Developer to establish Maintenance Easements in all locations as required by the Zoning By-law and Council policy.

NOTE: Clause 3(b) of the Twenty-first Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1980 June 10, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owners of these lands is 456941 Ontario Ltd. (Frank Silvestri, President)

- * 14. (a) That the submitted schedules for the estimated cost of services in "Gilkson Village", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) The City's share of the cost of services for this development (\$9 821.96) be approved and charged to the Reserve for Services through Unsubdivided Lands, Account No. 0280-12.

<u>TYPE OF WORK</u>	<u>AMOUNT TO BE FINANCED</u>
Sidewalks and Curbs	\$3 796.80
Finished Roads	<u>6 025.16</u>
TOTAL CITY SHARE	\$9 821.96

- (c) The approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- (d) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

NOTE: Clause 4(b) of the First Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1985 December 10, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owner of these lands is 465624 Ontario Limited (Frank Vandervelde, President).

* Recorded Vote, see page 1428

- * 15. (a) That the submitted schedules for the estimated cost of services in "Loconder Survey", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) The City's share of the cost of services for this development (\$126 997.96) be approved and charged to the Reserve for Services through Unsubdivided Lands, Account No. 0280-12.

<u>TYPE OF WORK</u>	<u>AMOUNT TO BE FINANCED</u>
Catch Basins & Connections	\$ 4 737.59
Sidewalks & Curbs	30 487.98
Finished Roads	86 484.90
Street Lighting	5 287.49
TOTAL CITY SHARE	\$126 997.96

- (c) The approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- (d) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

NOTE: Clause 7(b) of the Twenty-second Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1985 July 30, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owner of these lands is 568434 Ontario Limited (Walter Galdenzi, President).

- * * 16. (a) That the submitted schedules for the estimated cost of services in "High Ridge Estates - Stage 3", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) The City's share of the cost of services for this development (\$79 772.97) be approved and charged to the Reserve for Services through Unsubdivided Lands, Account No. 0280-12.

<u>TYPE OF WORK</u>	<u>AMOUNT TO BE FINANCED</u>
Catch Basins & Connections	\$ 2 540.06
Sidewalks and Curbs	9 834.40
Finished Roads	58 586.49
Fencing	3 105.00
Street Lighting	1 903.50
Watemains	3 803.52
TOTAL CITY SHARE	\$79 772.97

* Recorded Vote, see page 1428

** Recorded Vote, see page 1429

- (c) The approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- (d) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

NOTE: Clause 4(b) of the Twenty-Fourth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1986 November 11, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owner of these lands is Hamilton General Homes (1971) Ltd.

- * 17. (a) That the submitted schedules for the estimated cost of services in "Nash Orchard Heights West", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) The City's share of the cost of services for this development (\$317 002.95 be approved and charged to the Reserve for Services through Unsubdivided Lands, Account No. 0280-12.

<u>TYPE OF WORK</u>	<u>AMOUNT TO BE FINANCED</u>
Fencing	\$ 12 689.60
Catch Basins & Connections	12 866.33
Sidewalks and Curbs	64 297.90
Finished Roadways	146 068.97
Dead-End Barricades	2 773.20
Street Lighting	9 010.46
Sewers	53,821.23
Watermains	12 285.43
Sodding	3 189.83
	<hr/>
TOTAL CITY SHARE	\$317 002.95

- (c) The approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- (d) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.
- (e) The City agrees to allow the development of "Nash Orchard Heights West" to proceed at this time without a second access to the Gershome Neighbourhood.

* Recorded Vote, see page 1429

NOTE: Clause 5(b) of the Ninth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1986 April 29, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owner of these lands is Rymal Developments (1986).

- * 18. (a) That the submitted schedules for the estimated cost of services in "Oakland Park Extension No. 5", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) The approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- (c) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

NOTE: Clause 8(b) of the Tenth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1980 March 11, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owner of the lands is Adisco Limited.

19. (a) That an additional expenditure of \$8 056 be approved for City share in Strawberry Hill Addition, and the expenditure be charged to Account No. 0280-12.

NOTE: City Council at its meeting on March 31, 1987, approved the City's share of curbs, sidewalks, and final roads in "Strawberry Hill Addition", in the amount of \$37 299 and

Based on the low tender, the additional cost to the City is approximately \$8 056.

- (b) That an additional expenditure of \$1 391 be approved for City share in Stonegate Manor - Phase 2, and the expenditure be charged to Account No. 0280-12.

NOTE: City Council at its meeting on October 14, 1986, approved the City's share of curbs, sidewalks, and final roads in "Stonegate Manor - Phase 2", in the amount of \$13 928 and

Based on the low tender, the additional cost to the City is approximately \$1 391.

* Recorded Vote, see page 1429

- (c) That an additional expenditure of \$232.93 be approved for City share in DiCenzo Gardens, Phase 1, and the expenditure be charged to Account No. 0280-12.

NOTE: City Council at its meeting on March 31, 1987, approved the City's share of curbs, sidewalks, and final roads in "DiCenzo Gardens - Phase 1", in the amount of \$18 807 and

Based on the low tender, the additional cost to the City is approximately \$232.93.

20. (a) That the submitted schedules for the estimated cost of services to be included in the Modified Subdivision Agreement between the City of Hamilton and the Ministry of Government Services for Redmond Dr. as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Modified Subdivision Agreement.
- (b) The City's share of the cost of services for this development (\$27 299.41) be approved and charged to the Reserve for Services through Unsubdivided Lands, Account No. 0280-12.

TYPE OF WORK

AMOUNT TO BE FINANCED

Finished Roads

\$27 299.41

TOTAL CITY SHARE

\$27 299.41

- (c) The approval of the above clause be subject to the condition that no work be commenced until the Modified Subdivision Agreement has been registered; and
- (d) In the event that the Subdivider wishes to proceed prior to the registration of the Modified Subdivision Agreement, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.
- (e) The City of Hamilton accept the Deed for lands from the Ministry of Government Services for the proposed Redmond Drive road allowance, shown as Part 1 on a plan prepared by Bruce I. McMurchy, O.L.S., the said plan numbered 20-7-3579-000.
- (f) The City Solicitor be authorized and directed to prepare a By-law to incorporate the lands, as noted in Item 5 above, into the Redmond Drive road allowance.
- (g) The City Solicitor be directed to apply tot he Region for approval to establish Redmond Drive pursuant to Section 48(3) of the Regional Municipality of Hamilton-Wentworth Act.

21. (a) That the submitted schedules for the estimated cost of services to be included in the Modified Subdivision Agreement between the City of Hamilton and the Ministry of Government Services for Rupert Court as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Modified Subdivision Agreement.
- (o) The City's share of the cost of services for this development (\$34 797.50) be approved and charged to the Reserve for Services through Unsubdivided Lands, Account No. 0280-12.

<u>TYPE OF WORK</u>	<u>AMOUNT TO BE FINANCED</u>
Catch Basins & Connections	\$ 1 725.00
Sidewalks & Curbs	13 915.00
Finished Roads	15 812.50
Dead-End Barricades	345.00
Street Lighting	<u>3 000.00</u>
 TOTAL CITY SHARE	 \$34 797.50

- (c) The approval of the above clause be subject to the condition that no work be commenced until the Modified Subdivision Agreement has been registered; and
 - (d) In the event that the Subdivider wishes to proceed prior to the registration of the Modified Subdivision Agreement, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.
 - (e) The City of Hamilton accept the Deed(s) for lands from the Ministry of Government Services for the proposed Rupert Court road allowance, shown as Parts 4, 5, 6 and 7 on a plan prepared by Bruce I. McMurchy, O.L.S., the said plan numbered 20-7-3579-000.
 - (f) The City Solicitor be authorized and directed to prepare a By-law to incorporate Parts 4 and 7, as noted in Item 5 above, into the Rupert Court road allowance. Parts 5 and 6 are to be retained by the City as Reserves until adjacent lands are developed.
22. That the Ministry of the Environment be advised that, on the basis of the findings resulting from Regional Engineering Staff's review of the applications of Philip Enterprises Inc. for (a) mobile waste processing facility, (b) waste processing site located at 237 Brant Street in Hamilton and (c) a waste processing site at 52 Imperial Street in Hamilton, City Council concurs with the Ministry of the Environment's opinion that Environmental Assessment Hearings are not necessary.

23. (a) That the Director of Property be authorized to negotiate the acquisition of 855 Upper Horning Road., future Stone Church Road and Street "F", at the intersection of Upper Horning Road.
- (b) If the above two parcels are purchased, then
- i. the Director of property be directed to negotiate with DiCenzo Construction Ltd. the necessary sale or purchase to assure the proper utilization of the lands acquired under Item 1;
 - ii. The City Solicitor and the Commissioner of Transportation be directed to take all necessary steps to close and sell Upper Horning Road as shown on the submitted sketch, and open up the new streets;
 - iii. The City Solicitor be directed to apply to the Region under Sections 48(3) of the Regional Act to open the new street, with applicable;
 - iv. The new street be established with 0.3m reserves along the open sides where abutting lands are not owned by the City, and City and Regional construction costs be recovered through the reserves.
 - v. The estimated land costs of \$300 000 be financed from 0280-02 - land purchaser and the construction cost of \$80 000 be financed from 0280-12 Subdivision servicing.

NOTE: The above is recommended on the grounds that Council has approved the closing of Upper Horning Road and the establishment of a new street, the affected lands are owned by four parties, land assembly by the three private land owners is unlikely, and the City's costs are likely recoverable in 1988.

24. (a) That the request of D. A. Rubin, Solicitor, on behalf of 645292 Ontario Limited, the owner of 70 Glenburn Court, to discharge an agreement for constructing and maintaining a walkway, registered on October 15, 1971, as Instrument No. 223805 A.B. be approved, subject to the satisfaction of the City Solicitor.
- (b) That the City accept a Quit Claim Deed for a right-of-way over this walkway.
25. (a) That the Director of Real Estate be authorized and directed to negotiate the purchase of an 8.25m by 18.29m strip of land in front of 1123 Upper Wentworth Street being Parts 5, 6 and 7 on Plan RC-H-274 Surveys.

- (b) That the City Solicitor be directed to make application to the Ontario Municipal Board for approval of the additional amount required for this project.
- (c) That the Executive Committee recommend the amount and source of funds to be provided for this Capital Project.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE ESTIMATED COST TO ACQUIRE AN 18.25M BY 18.29M STRIP OF LAND IN THE FRONT OF 1123 UPPER WENTWORTH STREET, IN THE AMOUNT OF \$6 050 FOR THE SIDEWALK RECONSTRUCTION PROJECT BE FINANCED FROM THE RESERVE FOR PROPERTY PURCHASES ACCOUNT NO.0280-02. CARRIED.

- 26. (a) That the Commissioner of Engineering be authorized and directed to undertake the rehabilitation of the street lights and sidewalks on the York Boulevard High Level Bridge at an estimated cost of \$155 000
- (b) That the Region be petitioned to incur this cost.
- 27. That no action be taken on the request of Wentworth Condominium Corporation Nos. 42, 60 and 74 to construct fences along the boundaries of their properties abutting City lands.
- 28. That approval be given to the following 30 bus shelter locations for the City of Hamilton, to begin the 1987 shelter program. These locations received approval by the Bus Shelter Sub-Committee at its February 26, 1987 meeting and are ready for installation.

1987 BUS SHELTER LOCATIONS - CITY OF HAMILTON

(a) Main Opp. #1928	E/Side
(b) Main at Whitney	S/E
(c) Main at Haddon	S/W
(d) King at Breadlebane	N/Side
(e) King at Sanford	N/E
(f) Burlington at Mary	N/E
(g) Burlington at Sherman	N/E
(h) Barton at Ottawa	N/E
(i) Ottawa at Main	N/W
(j) King at Kenilworth	S/Side
(k) Upper Ottawa at Limeridge	S/E
(l) Upper Wentworth at Mohawk	E/Side
(m) Concession Opp. East 13th	N/Side
(n) Mohawk at Upper James	N/E
(o) Mohawk Between Magnolia and Rice	S/Side
(p) Kenilworth at Normandy	S/E
(q) Upper Wentworth at Fennell	S/E/
(r) Concession at Upper Wellington	S/W
(s) James Opp. Simcoe	N/W
(t) Upper Sherman at Limeridge	S/E
(u) Limeridge between Upper James and W5th	S/Side
(v) King E. at Edgemount	N/E
(w) Burlington at Wentworth	S/W

(x) Mohawk at Mall	S/Side
(y) Upper Wellington at Concession	S/W
(z) Garth between Garrow and Limeridge	E/Side
(aa) Kenilworth at King Ramp	W/Side
(bb) Parkdale at Burland (Russell Steel)	N/W
(cc) Main W. at Leland	S/W
(dd) Herkimer at Bay S.	S/W

29. (a) That a Permit Parking Regulation be implemented on the east side of West Avenue South commencing at a point 64 feet north of Young Street and extending to Stinson Street; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit, upon request, to one resident of each of the six residential properties abutting the block, and any additional permits (to a maximum of ten) on a first come first served basis; and
- (c) That the City Traffic By-law 66-100 be amended accordingly
30. (a) That the existing "No Parking - Loading Only" regulation on the west side of Margaret Street commencing at King Street West and extending to a point 154 feet southerly be shortened such that the regulation extends to a point 90 feet south of King Street West; and
- (b) That a "One Hour Parking, 8:00 a.m. to 6:00 p.m. Monday to Friday" regulation be implemented on the west side of Margaret Street commencing at a point 90 feet south of King Street West and extending to a point 64 feet southerly therefrom; and
- (c) That the City Traffic By-law 66-100 be amended accordingly.
31. (a) That a "One Hour Parking, Monday to Saturday" regulation be implemented on the south side of Britannia Avenue commencing at a point 194 feet east of Kenilworth Avenue North and extending to Crosthwaite Avenue; and
- (b) That a "One Hour Parking" regulation be implemented on both sides of Market Street between Hess Street North and Caroline Street North, in combination with the "Alternate Side Parking" regulation presently signed in this block; and
- (c) That the City Traffic By-law 66-100 be amended accordingly.
32. (a) That a "No Parking, 9:00 a.m. to 7:00 p.m. Monday to Friday" regulation be implemented on the east side of Gibson Avenue, commencing at a point 145 feet north of Barton Street East and extending to a point 40 feet northerly therefrom; and

- (b) That stopping be prohibited on the east side of Gioson Avenue between Barton Street East and a point 145 feet northerly therefrom; and
 - (c) That the City Traffic By-law 66-100 be amended accordingly.
33. (a) That an "Alternate Side Parking" regulation be implemented on Barbara Court, such that parking is prohibited;
- on the east side of the street during the months of December, January, February and March and from the first to the 15th of April, May, June, July, August, September, October and November; and
 - on the west side of the street from the 16th to the last day of April, May, June, July, August, September, October and November.
- (b) That the City Traffic By-law 66-100 be amended accordingly.
34. That, in accordance with the request by the Hamilton Street Railway Company;
- (a) permission be granted to operate the Delaware Bus Route on Cochrane Road from Lawrence Road to King Street East; and
 - (b) the following bus stop relocations be approved:
 - Delete - Northbound - Rosedale Avenue at King Street East
 - Add - Northbound - Cochrane Road at Lawrence Road
 - Cochrane Road, 148 feet south of King Street East (M/B)
 - (c) buses be permitted to operate on Upper Horning Road between Amalfi Street and Golf Links Road; and
 - (d) the following new bus stops locations be approved for the Upper Paradise Bus Route;
 - Outbound - Upper Horning at Amalfi
 - Upper Horning at Guildwood
 - Upper Horning at Adis
 - Inbound - Upper Horning at the northerly leg of Nellida
 - Upper Horning at the southerly leg of Nellida (FS)
 - Upper Horning opposite Amalfi (MB)
 - (e) the City Traffic By-law 66-100 be amended accordingly.

35. (a) That a four-way stop be implemented at the intersection of Longwood Road North and Norwood Road.
- (c) That the City Traffic By-law 66-100 be amended accordingly.
36. (a) That a four-way stop control be implemented at the intersection of Brucedale Avenue and East 27th Street.
- (b) That the City Traffic By-law 66-100 be amended accordingly.
37. (a) That northbound traffic on Carriage Gate Drive be required to stop for eastbound and westbound traffic on Park Plaza Drive; and
- (b) That southbound traffic on Grand Oaks Drive be required to stop for eastbound and westbound traffic on Park Plaza Drive; and
- (c) That westbound traffic on Park Plaza Drive be required to stop for northbound and southbound traffic on Parkwood Court; and
- (d) That eastbound traffic on Thayer Avenue be required to stop for northbound and southbound traffic on East 16th Street; and
- (e) That southbound traffic on Berry Avenue be required to stop for eastbound and westbound traffic on Central Avenue; and
- (f) That northbound traffic on Auburn Avenue, Rodgers Road and Glenholm Avenue be required to stop for eastbound and westbound traffic on Central Avenue;
- (g) That northbound and southbound traffic on Bell Avenue be required to stop for eastbound and westbound traffic on Central Avenue; and
- (h) That northbound traffic on Holmesdale Avenue be required to stop for eastbound and westbound traffic on Lucerne Avenue; and
- (i) That the City Traffic By-law 66-100 be amended accordingly.
38. That, an appropriate sign be installed on Burlington Street to direct westbound through traffic to use James Street.

39. That in accordance with the recommendation of the Hamilton-Wentworth Regional Police Department:
- (a) a School Traffic Officer be assigned to the intersection of Concession Street and East 19th Street; and
 - (b) the Director of Public Works be requested to relocate the bench on the north side of Concession at East 19th.
40. (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Clifton Downs Road, commencing at a point 112 feet west of Abbington Drive and extending to a point 40 feet westerly therefrom; and
- (b) That the City Traffic By-law 66-100 be amended accordingly.
41. (a) That the Director of Traffic Services be authorized to issue temporary time limit exemption permits to residents whose access to their property is cut off during construction periods; and
- (b) That the cost of the permits be at a minimum rate of \$2 per month.
42. That residential boulevard parking for one, two and three family dwellings not be permitted for the portion of Gladstone Avenue between Delaware Avenue and Main Street.
43. (a) That the expenditure of an additional \$12 200 for the new Traffic Department service truck be approved; and
- (b) That the Executive Committee be requested to recommend the method of financing.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE ADDITIONAL COST IN THE AMOUNT OF \$12 200 BE FINANCED FROM THE REVENUE FOR CAPITAL PROJECTS ACCOUNT NUMBER 0280-27. CARRIED.

NOTE: For the information of City Council, the initial estimate of the cost of the vehicle (\$55 000) was based on the purchase cost of a similar, though not identical, type of vehicle purchased several years ago. Tenders were recently received for the purchase of the truck and, while the two tenders were less than five percent apart in price, the lowest of the two tenders was \$12 200 greater than the estimated cost.

44. That the Director of Traffic Services be authorized to approve a vehicle approach ramp to provide access to a paved parking area for a single vehicle, located partly on the boulevard of Queen Street South at 179 Herkimer Street.

45. That the Chairman of the Transport and Environment Committee, or his designate, be authorized to attend the 60th Annual Water Pollution Control Federation Conference in Philadelphia, Pennsylvania, on October 4-8, 1987.
46. That the application of the Hamilton Tiger-Cat Football Club, on behalf of the Canadian Broadcasting Corporation, the Sports Network and the Canadian Football Network, to place a temporary television camera platform crane and barricading, on the east boulevard of Melrose Avenue abutting Ivor Wynne Stadium, to facilitate television coverage of the following football games:

<u>Date</u>	<u>Regular Season</u>
	<u>Time</u>
Sunday, July 5th	1:30 p.m.
Friday, July 17th	8:00 p.m.
Friday, July 31st	8:00 p.m.
Friday, August 14th	8:00 p.m.
Saturday, August 29th	8:00 p.m.
Monday, September 7th	7:00 p.m.
Sunday, September 27th	1:30 p.m.
Sunday, October 11th	1:30 p.m.
Sunday, November 1st	1:30 p.m.
<u>Play-Off Season</u>	
Sunday, November 15th	1:30 p.m.
Sunday, November 22nd	1:30 p.m.

be approved, subject to the following conditions:

- (a) The applicant(s) comply with all the requirements of Streets By-law No. 9329;
- (b) The applicant(s) in writing indemnifies and saves the City of Hamilton harmless from all actions, causes of action, interests, claim, demands, costs, damages, expenses and loss;
- (c) The applicant(s) provide proof of public liability insurance to the Commissioner of Transportation in the amount of \$1 000 000 naming the City of Hamilton as an added insured party with a provision for cross liability; and
- (d) That clean-up will be carried out immediately following the event at the expense of the applicant.

47. That leave be granted to introduce the following bills:

- (a) B-48 By-law respecting the construction of Local Improvements on concrete alleys
 - 1) In the block bounded by Afton, Prospect, Maplewood, and Cedar - \$36 000
 - 2) In the block bounded by Province N., Dunsmure, Park Row N. and Roxborough - \$40 000 - Total \$76 000
- (b) B-49 By-law Respecting the construction of local improvements on a concrete alley, first north of Main Street, running from Carrick Avenue to Spadina Avenue - \$19 000
- (c) B-50 By-law respecting the construction of local improvements on an independent concrete sidewalk on Upper Paradise Road from Hadeland Avenue to approximately 152 metres northerly (east side only) - \$16 500
- (d) B-51 By-law respecting the construction of local improvements on concrete alley in the block bounded by Rosslyn, Roxborough, Kensington and Cannon - \$32 000
- (e) B-52 By-law to incorporate Parts 1 and 2, Plan 62R-8775 into Rexford Drive
- (f) B-53 By-law to widen Greenguild Drive by incorporating therein Part 1, Plan 62R-8403
- (g) B-54 By-law to incorporate Part 3, Plan 62R-7829 into Strawberry Drive
- (h) B-55 By-law to incorporate Parts 3 and 6, Plan 62R-8461 into Berkindale Drive
- (i) B-56 By-law to establish Parts 1, 2 and 3, Plan 62R-8743 and to be named Whitehouse Road
- (j) B-57 By-law to Appoint Noise Control Officers
- (k) B-58 By-law to extend Templemead Drive by incorporating therein Parts 1, 3, 5 & 7, Plan 62R-8070 and Parts 5, 6 and 12, Plan 62R-6969
- (l) B-59 By-law to extend Cranberry Court by incorporating therein Block 106, Plan 62M-439 (1' Reserve)
- (m) B-60 By-law to widen and extend Independence Drive by incorporating therein Parts 2, 4, 6, 8 & 9, Plan 62R-8070 and Parts 1 & 3, Plan 62R-6969

- (n) B-61 By-law to extend Templemead Drive by incorporating therein part of Block 27, Plan 62M-508 (1' Reserve), shown as Part 2, Plan RA-H-395 Surveys
 - (o) B-62 By-law to extend Independence Drive by incorporating therein part of Block 27, Plan 62M-508 (1' Reserve), shown as Part 1, Plan RA-H-395 Surveys
 - (p) B-63 By-law to alter Limeridge Rd. E. from Kingfisher Dr. to Upper Wentworth St. - widening and construction of finished roadway curbs and sidewalks
 - (q) B-64 By-law to widen Montmorency Drive by incorporating therein Block 30, Plan 62M-392 (1' reserve)
 - (r) B-65 By-law to Amend By-law 66-100 to Regulate Traffic
 - (s) B-66 By-law to Amend By-law 66-100 to Regulate Traffic.
- * 48. (a) That the Commissioner of Engineering be authorized and directed to request Hamilton Hydro Electric System to install underground conduit, transformer vaults and drains as required to provide underground electrical services on Ravenscliffe Avenue, from Aberdeen Avenue to the south end of the street at an estimated cost of approximately eight thousand dollars (\$8,000.).
- (b) That the Executive Committee be requested to recommend the method of financing this expenditure.
- (c) That staff be directed to investigate the feasibility of a cost shared underground electrical service on Ravenscliffe Avenue, on the following bases:
- 1/3 Hydro (Hamilton Hydro Electric System)
 - 1/3 City of Hamilton
 - 1/3 Residents on Ravenscliffe
- (d) That staff investigate the existing policy whereby homeowners are responsible for the cost of underground service from their house to the streetline with the view to rescinding this policy.
- ** 49. That City Council write to the Canadian Transport Commission and request that an order be issued to C.P. Rail directing the Corporation to rebuild the Poulette Street Bridge immediately in the spirit of the commitment that was made last fall to the City and the affected neighbourhood.

07/28/87

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

J. D. Thompson,
Acting Secretary

1987 July 28

* Section 48 added during Council.

** Section 49 added during Council.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Parks and Recreation Committee presents its **TWELFTH** Report for 1987 and respectfully recommends:

1. (a) That the City exercise its option to renew the agreement with **Tiger Vending, Hamilton** to supply, install, service and maintain vending machines at various parks in accordance with specifications issued by the Manager of Purchasing and Vendor's proposal, for an additional two twelve month periods commencing September 1, 1987, as follows:

- Hot Drinks - 13 cents per cup commission
- Snack Machines - 15% per item commission
- Soft Drink Machines to dispense in cans - 15 cents per item commission

NOTE: The better of two proposals received.

- (b) That a purchase order be issued to **Shersdale Inc., o/a Electrical Maintenance Services, Hamilton** in the amount of \$18,900 including applicable taxes, for the supply of materials and labour for installation of Electrical Services, Bandshell, Gage Park, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

NOTE: Lowest of five (5) quotations received. Funds provided in Special Repair Projects Account #0364-8619

As this work is to be completed for summer concerts and the next meeting of Council is July 28th, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

- (c) That a purchase order be issued to **Signex Inc., Hamilton** in the amount of \$30 960 including applicable taxes, for the supply and installation of Bikeway Signage at various locations within the City and Region, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

NOTE: Lowest of five (5) quotations received. Funds provided in Bikeway Master Signage Account #0408 U62703.

As this work is to be completed within six to eight weeks for special opening ceremonies, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

- (d) That a purchase order be issued to **Jacobs Greenhouse Manufacturing Ltd., Delhi,** in the amount of \$19 440 including applicable taxes, to supply all necessary labour and material to Reglaze #7 Greenhouse Roof, Gage Park, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

NOTE: Lowest of two (2) quotations received. Funds provided in Repairs and Maintenance Buildings, Greenhouse Operations Account #0364-4033.

As this work is to be completed before the end of July for the Mum Show preparation, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

- (e) 1. That a purchase order be issued to **G.C. Duke Equipment Ltd., Burlington** in the amount of \$40 553 including applicable taxes for One (1) 5 Gang Hydraulic Reel Mower, in accordance with specifications issued by the Manager of Purchasing and Vendor's tenders.

NOTE: Lowest acceptable tender received. Funds provided in Reserve for Capital Projects Account #0280-28

- ii. That a purchase order be issued to **G.C. Duke Equipment Ltd., Burlington** in the amount of \$29,532 including applicable taxes for Three (3) National 84" Triplex Mowers, in accordance with specifications issued by the Manager of Purchasing and Vendor's tenders.

NOTE: Only tender received. Funds provided in Reserve for Capital Projects Account #0280-28

- 2. That approval be given for the proposed parking lot, immediately north of Scenic Drive, and just east of the Hamilton/Ancaster municipal boundary, as outlined on the plan, attached as Schedule "A".

NOTE: The estimated cost of \$12 000 for the construction of the parking lot and for the trimming and pruning of trees will be considered for development in 1988, during the preparation of the 1988 draft budget.

- * 3. That the Director of Public Works be authorized and directed to proceed with a program to remove pigeons from the Gore Park Area, in conjunction with the Downtown B.I.A. and the H.S.P.C.A., at an estimated cost of \$3 000 to be charged to account number 03 64 41 32, Gore Park Repairs and Maintenance of Grounds.

- 4. That the surface for the proposed running track at Mohawk Sports Park Complex be Weatherflex or equal - in accordance with the recommendation of the Track and Field Advisory Committee.

NOTE: Weatherflex surface can be used as a base for the top-of-the-line surface which would be required for the Commonwealth Games when they are held in Hamilton.

- * * 5. (a) That the Public Works Department proceed with the removal of the present play equipment and the restoration of the site in the J. C. Beamer Park, at a cost of \$5 000, and
- (b) That the Public Works Department proceed with the construction of a 2 foot high lattice type extension of the present fence located between J. C. Beamer Park and Mrs. Warren's property at a cost of \$2 500, and
- (c) That the Culture and Recreation Department proceed with the installation of traditional metal play equipment at a new location in the eastern area of the J. C. Beamer Park at a cost of \$5 000, and

* Section 3 amended, see page 1493

** Section 5 amended, see page 1493

- (d) That the Executive Committee recommend the source of funds to be provided for this project totalling \$12 500.

NOTE: The Committee has directed that the present play equipment remain until such time as the new play equipment is available for installation in order to avoid a lapse in time where there would be no play equipment in the Park.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE COST OF \$12 000 FOR THIS WORK BE FINANCED FROM THE RESERVE FOR THE ACQUISITION OF PROPERTIES UNDER THE PLANNING ACT, ACCOUNT NUMBER 0280-11. CARRIED.

6. That the resident rate for burial be available:

- (a) For residents and/or taxpayers to the City of Hamilton who have passed away within six months of having moved away from the City of Hamilton,
- (b) For former Hamilton residents who have passed away while living in a Region of Hamilton-Wentworth home for the aged i.e. Wentworth Lodge.

7. (a) That 94 East Avenue Park be designed and developed through the Corktown/Stinson O.N.I.P. expenditures in 1987,
- (b) That the \$6 000 allocation for the development of 94 East Avenue Park be used to finance the clean up, top soiling, seeding, and planting of the area along Southpark Avenue in Rushdale Park as well as for the preparation of the area designated for the proposed play lot.

NOTE: City Council approved a \$6 000 budget for the 1987 Landscape Development of 94 East Avenue Park.

On July 17, 1986, the Province approved funding for the Corktown/Stinson O.N.I.P. The design and development of 94 East Avenue Park is part of this programme and, therefore, the Parks Division funding for this development is no longer required.

Preliminary rough grading of the area along Southpark Avenue in Rushdale Park was completed in 1985. Funding for the completion of this landscaping is not available in the Parks Division Budget. Sufficient funds for the clean up, top soiling, seeding and planting of this area as well as the preparation of the area designated for the proposed play structure being donated by Legion 167 would be available using the \$6 000 94 East Avenue Park Allocation.

8. (a) That Item 2 of the 22nd Report of the Parks and Recreation Committee adopted by City Council on October 14, 1986, be rescinded in its entirety.
- (b) That an agreement executed by Domtar Inc., for leasing City lands on the west side of Strathearne Avenue North, north of Burlington Street East at an annual rental of \$957 plus taxes, effective May 28th of each year, for a ten year period, expiring May 28, 1988, be terminated effective June 30, 1987.

NOTE: This land is used for a spur line and service track.

- (c) That an agreement be entered into with the new owners, Carbochem Inc. for leasing City lands on the west side of Strathearne Avenue North, north of Burlington Street East at an annual rental of \$1 100 plus taxes in the sum of \$1 552, effective the first of the month following Council approval, for a ten year period, with the annual rent being reviewed every two years. Revenue is to be credited to Account No. 0280-11.

NOTE: This land is to be used for a spur line and service track into their plant.

NOTE: In October 1986, Domtar requested approval to lease additional lands for the construction of a second spur line into their plant. This never materialized and in the interim, the company was sold to Carbochem Inc. We therefore recommend terminating the agreement with Domtar and approval of a new agreement with Carbochem Inc. for the existing spur line and service track.

9. (a) That approval be given to the leasing of 122 Province Street to Mrs. Marie Bowman, commencing on July 7, 1987 at a one time rental of \$125. Commencing August 1, 1987 the monthly rental will be \$350 including realty taxes of \$783.22.
- (b) That the Mayor and City Clerk be authorized and directed to execute the Tenancy Agreement.

10. That approval be given to commence construction of Phase 2 of the renovation program for the Scott Park Arena in the spring of 1988.

NOTE: The above is proposed so as not to interfere with the 1987/1988 hockey season.

For the 1987/88 season, it is proposed that approximately \$2 000 be spent on the maintenance, general changes, safety, health and comfort of the users during this winter season.

This \$2 000 will be provided from the Property Maintenance Budget.

11. (a) That an Option to Purchase the property at 107 Graham Avenue North executed by the owners, Frank and Catherine Bell, on June 16, 1987, at a purchase price of \$72 000 and scheduled to close on or before August 27th, 1987 be completed.

NOTE: This property which is required in connection with the development of Crown Point East Priority Park has a frontage of approximately 25 feet along the westerly limits of Graham Avenue North by a depth of about 100 feet with structures erected thereon. The purchase price is to be charged to Account #0403-C06026.

- (b) i. That an Agreement to Lease the property at 107 Graham Avenue North to Frank and Catherine Bell from August 27th, 1987 to September 1st, 1987 for the sum of \$1 be approved.
- ii. That the Mayor and City Clerk be authorized and directed to execute the Tenancy Agreement.

NOTE: If the purchase of 107 Graham Avenue North is approved by City Council, the transaction will be completed on August 27th, 1987. The present owners of the property, Frank and Catherine Bell, wish to remain in possession until September 1st, 1987 (four days) in order to facilitate their move to a new home.

The agreement allows the City to hold back \$1 000 from the purchase price of the property to guarantee the property is surrendered in good condition.

12. (a) That an Offer to Purchase an Easement through the City lands known as "Cathedral Park" and legally described as being part of Park Lot 7, on Sir Allan N. MacNab Survey, executed by Ontario Hydro on July 15th, 1987 and scheduled for closing on or before October 26th, 1987, at a purchase price of \$16 000, be approved and completed.

NOTE: The subject easement is a strip of land 30 feet in width extending southerly approximately 580 feet from King Street West, then westerly approximately 200 feet to the Highway No. 403, comprising 0.50 acres more or less; and is for the underground installation of electrical transmission lines and access for maintenance thereto.

The purchase price of \$16 000 is to be credited to Account No. 0280-11 (Reserve for Lands Conveyed for Public Purposes).

This Offer to Purchase is subject to the following conditions:

Notwithstanding any of the rights or the Easement herein set out, the Grantor may use the strip for any and all purposes, including landscaping; provided such use does not unduly interfere with the works of the Grantee located in the easement strip; and if at any time or times, in the opinion of the Grantor the presence or use of the works interferes with the Grantor's use or intended use of the strip, the Grantor may require the Grantee to relocate the works or any part or parts of them in another location or locations on the strip or on adjacent lands of the Grantor within twelve (12) months from the time of such request, and all the terms and conditions of this Easement shall then apply to the works in their new location or locations and the cost of such relocation shall be borne as follows:

- i. if the request is made during the initial five-year period of this indenture, Vendor shall pay the full cost;
- ii. if the request is made during the second five-year period of this indenture, Vendor shall pay fifty per cent (50%) of the cost of labour and the Purchaser shall pay the balance;
- iii. if the request is made after the expiration of the initial ten-year period of this indenture, the Purchaser shall pay the full cost.

- (b) That the Mayor and City Clerk be authorized and directed to execute the Offer.

13. That approval be given to the action taken by the Director of Culture and Recreation in approving the Fireworks Display conducted by the Durand Neighbourhood Association, at Durand Park, in conjunction with their Canada Day Celebrations, (July 1/87) subject to the following terms and conditions:

- (a) That proof of \$1 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided in advance of the event.
- (b) That adequate safety precautions be taken in conjunction with the Chief Fire Prevention Officer and the Hamilton-Wentworth Regional Police.

NOTE: For the information of the Members of City Council, approval is required under Parks By-law 77-221.

14. (a) That \$2 920 be allocated to the Red Hill School Playground Equipment project to match those funds raised in the community for the installation of equipment on that site in accordance with the policy approved by City Council on 1986, May 13 and amended on 1986, October 28.
- (b) That the Executive Committee recommend the method of financing this project.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE COST OF FINANCING THIS PLAYGROUND EQUIPMENT IN THE GROSS AMOUNT OF \$2 920 BE FINANCED FROM THE RESERVE FOR ACQUISITION OF LAND UNDER THE PLANNING ACT, ACCOUNT NUMBER 0280-11. CARRIED.

15. That approval be given to the action of the Director of Culture and Recreation in authorizing the sale of food and soft drinks on the occasion of the Golden Horseshoe Football Tournament, scheduled at Kay Dudge Park, July 25th and 26th.

NOTE: For the information of the Members of City Council, approval is required under Parks By-law 77-221.

16. (a) That the practice of offering both Individual Recreation Centre Memberships and City Wide Membership be discontinued in favour of offering the City Wide Memberships only except for Pensioners, Special Needs and Special Interest courses.
- (b) That the Pro-Rated Membership fee reduction dates be amended from February 1 and June 1 to January 1 and June 1 annually.
- (c) That the rates and fees for Recreation Centres as outlined in Schedule "B", attached hereto, be approved commencing for the 1987-88 season.

17. (a) That Hamilton's 1987 Waterfront Celebrations originally approved for August 22 and 23, be expanded to include the week-end of August 15 and 16, and feature, among other events, the following:

August 15, 16 - Hovercraft Rally - Sponsored in conjunction with the Canadian Hovercraft Club

August 22, 23 - Discover-Ride Inaugural Bikeways Events,
Cari-Can Parade and Park Festival,
entertainment, displays, waterfront events.

- (b) That permission be granted to co-sponsors to sell food and refreshments in conjunction with these events, and to apply to the L.L.B.O. for a special occasion permit for the purpose of selling beer in accordance with the requirements of the L.L.B.O.

NOTE: For the information of the Members of City Council, approval is required under Parks By-law 77-221.

- (c) That the appropriation for the 1987 Waterfront Celebrations be increased from \$12 000 to \$15 000 on the understanding that the additional funds will be financed from within the 1987 appropriation for Special Programs.

NOTE: The expansion of this event over two week-ends will contribute greatly to Hamilton's Summer Celebrations and will provide greater awareness of the recreational potential of Hamilton's Waterfront.

18. That \$100 000 be transferred from the Reserve the Lands Conveyed to the City for Public Purposes (Parkland) Account No. 0280-11 to the Crown Point East Priority Parkland Account No. 0408-C0602.

NOTE: There is about \$.5 million in the General Fund for Priority Parks.

Crown Point East is a Priority One Park. Three of the fifteen properties have been purchased.

At present the owner of 107 Graham Avenue North is willing to sell to the City.

The Crown Point East Priority Park Account contains an unencumbered balance of \$60 314.56.

It is estimated that it will cost in the range of \$75 000 to purchase 107 Graham Avenue North.

If \$100 000 is added to the balance in Crown Point East, it will be possible to purchase both 107 Graham Avenue North and an additional property.

19. That approval be given to the Hamilton & District Ladies Slo-Pitch Association for upcoming special events as listed below, subject to the following terms and conditions; to which the applicant has agreed:
- (a) 1st Annual "Coors" Provincial Tournament - Rosedale Arena Thursday September 3rd to Sunday September 6th, 1987 - sale of food and refreshments including beer, in a confined area outside of the arena, at a location satisfactory to city staff - such food to include a barbeque. Sale of beer in a confined area of Globe Park on September 5 only.
 - (b) Charity Slo-Pitch Game - Bernie Arbour Stadium, Wednesday, August 19, 1987 - sale of food and refreshments including beer, in a confined area outside of the Bernie Arbour Stadium, at a location satisfactory to city staff.
 - (c) Annual Slo-Pitch Tournament - Rosedale Arena, Thursday August 13th to Sunday August 16, 1987 - to barbeque and sell food and refreshments outside of the Arena at a location satisfactory to city staff.

Terms and Conditions:

- i. That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a special occasion permit.
- ii. That the applicant be responsible for all labour related costs incurred by city staff as a result of these events.
- iii. That any costs associated with provision of additional and portable bleachers along the base lines at Bernie Arbour Stadium be at the applicant's expense.
- iv. That proof of \$2 million dollars Comprehensive General Liability Insurance for property Damage and Bodily Injury, naming the city as additional insured be provided.

NOTE: For the information of the Members of City Council, approval is required under Parks By-law 77-221.

All proceeds from the sale of food and beverages will be donated for charitable purposes.

20. For the information of the Members of City Council, Mr. John Byl, 94 Burrwood Drive, Hamilton, has been appointed to the Parks and Recreation Citizen Advisory Committee.
21. That all Members of City Council have a standing invitation to attend meetings of the Parks and Recreation Committee at which discussions are held respecting the former IAX Property.

RESPECTFULLY SUBMITTED

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Mrs. L. Peddle,
Acting Secretary

1987 July 21
Attachs.

Section 3 amended to read:

3. That the Director of Public Works be authorized and directed to proceed with a program to remove pigeons from the Gore Park Area, in conjunction with the Downtown B.I.A. and the H.S.P.C.A., at an estimated cost of \$3,000. to be charged to account number 03 64 41 32, Gore Park Repairs and Maintenance of Grounds and, that the City Solicitor be authorized and directed to prepare a by-law to prohibit the feeding of pigeons in Gore Park.

Section 5 amended to read:

5. (a) That the Public Works Department prepare a site plan for presentation to the Parks & Recreation Committee for the removal of the present play equipment and the restoration of the site in the J. C. Beamer Park, at a cost of \$5,000., and
- (b) That the Public Works Department proceed with the construction of a 2 foot high lattice type extension of the present fence located between J. C. Beamer Park and Mrs. Warren's property at a cost of \$2,500., and

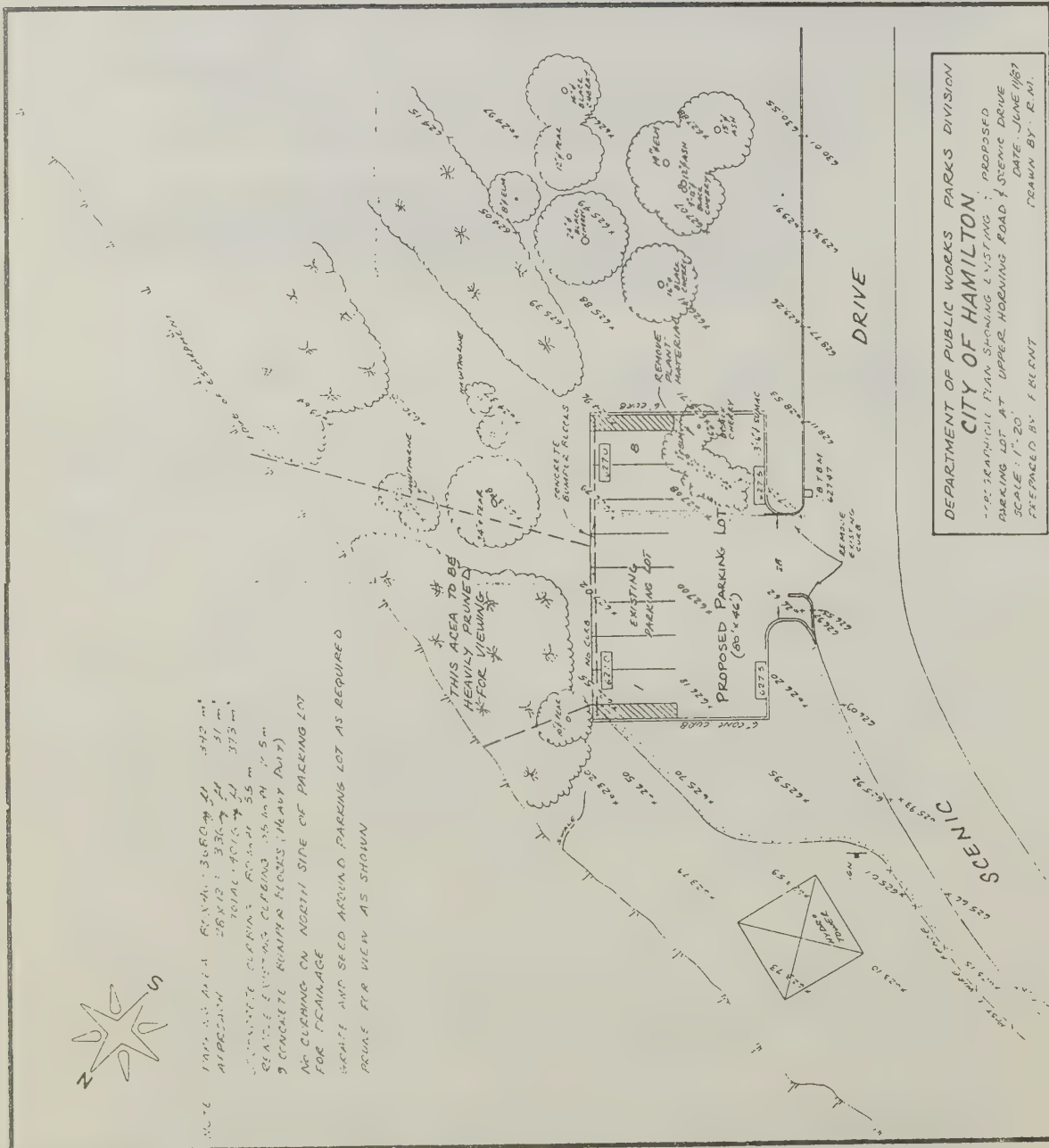
- (c) That the Culture and Recreation Department prepare a site plan for presentation to the Parks & Recreation Committee for the installation of traditional metal play equipment at a new location in the eastern area of the J. C. Beamer Park at a cost of \$5,000., and
- (d) That the Executive Committee recommend the source of funds to be provided for this project totalling \$12,500.

NOTE: The Committee has directed that the present play equipment remain until such time as the new play equipment is available for installation in order to avoid a lapse in time where there would be no play equipment in the park.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE COST OF \$12,000. FOR THIS WORK BE FINANCED FROM THE RESERVE FOR THE ACQUISITION OF PROPERTIES UNDER THE PLANNING ACT, ACCOUNT NUMBER 0280-11. CARRIED.

07/28/87

Schedule "A"
-1495-As referred to in Section 2 of the
12th Report of the Parks and Recreation
Committee.



Schedule "B" as referred to in

<u>Memberships-One Centre Only</u>	<u>Existing (approved July/85)</u>	<u>Proposed (87-88 Season)</u>
	Resident/Non-Resident	Resident/Non-Resident
Family	\$45 / 59	Delete
Adult	\$30 / 39	Delete
Youth (under 18 yrs)	\$10 / 13	Delete
Child (under 13 yrs)	\$ 8 / 10	Delete
Pensioner/Special Needs	\$ 4 / 5	\$4 / \$ 5 (no increase)
Special Interest Courses	\$ 6.25	\$6.25 (no increase)
Replacement Cards	\$ 1.00	\$1.00 (no increase)

Membership - City Wide

Family	\$ 60 / 78	\$ 68 / 88
Adult	\$ 40 / 52	\$ 44 / 57
Youth (under 18 yrs)	\$ 15 / 20	\$ 16 / 21
Child (under 13 yrs)	\$ 10 / 13	\$ 11 / 14
Pensioners & Special Needs	\$ 6 / 8	\$ 7 / 9
Replacements	\$ 1.00	\$ 1.00

Aquatic Fees

\$ 5.00 \$ 5.00

Admissions (non member)

Family	\$ 3.50	\$ 3.50	(no increase)
Adult	\$ 2.00	\$ 2.00	" "
Youth	\$ 1.00	\$ 1.00	" "
Child	\$.75	\$.75	" "
Pensioners & Special	\$.75	\$.75	" "

Room Rentals

a)

Non-Profit Community Use

Adult

\$10.00 for 1st hr,
\$ 5.00 thereafter same (no increase)

Children & Youth

\$ 5.00/hr

same (no increase)

?? ?? ??

b) Social & Special Events

\$25.00/hr

” ” ”

Pool Rentals

\$50.00/hr (incl. 2 Lifeguard)

11 11 11

Hot Pool Rentals

\$10.00/hr (incl. 2 Lifeguard)

” ” ”

* REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Parks and Recreation Committee presents its **THIRTEENTH** Report for 1987 and respectfully recommends:

1. (a) That the City enter into an Agreement, in a form satisfactory to the City Solicitor, to retain B.A.R. Environmental to update the Industrial Waste Management Plan prepared by B.A.R. Environmental (formerly Booth Aquatic Research Inc.) dated June 1986, as per their proposal dated June 1987 at an estimated cost of \$30 000.
- (b) That the Mayor and City Clerk be authorized and directed to execute the Agreement.

NOTE: Sufficient funds are available in account 0408-G4628-3 Waterfront Consultants Fees.

The original best estimate to remove the industrial waste from the former Lax Property was approximately two hundred and fifteen thousand dollars (\$215 000). Excavation work revealed considerably more hazardous material was distributed both horizontally and vertically throughout the site. Approval was then given to remove approximately six hundred thousand dollars (\$600 000) worth of material. Current estimates indicate that an additional one million dollars (\$1 000 000) worth of excavation and removal is left to be done. Following considerable consultation, with Ministry of Environment (M.O.E.) a proposal to update the existing Industrial Waste Management Plan was developed. This proposal builds on the existing information and will determine for the City through consultation with M.O.E., an accurate estimate of the amount of hazardous material that must be removed from the site and a method of making the site safe for public access and enjoyment.

2. (a) That the City enter into an Agreement, in a form satisfactory to the City Solicitor, to retain B.A.R. Environmental to proceed with the preparation of the Environmental Assessment and related documentation for the Waterfront Master Plan as outlined in the proposal prepared by B.A.R. Environmental, July 1987 at an estimated cost of Two Hundred and Seventy Seven Thousand Dollars (\$277 000). (This sum to include legal fees for (b) hereunder).
- (b) That I. Binnie, Q.C., be retained to represent the City at the anticipated Environmental Assessment public hearing for the Waterfront Master Plan, as discussed with the City Solicitor.

07/28/87

- (c) That the Mayor and City Clerk be authorized and directed to execute the Agreement.
- (d) That the Executive Committee recommend the method of financing.

NOTE: On 1987 June 09, the Honourable Minister of Environment, Jim Bradley, in a letter to Mayor R. M. Morrow stated "I have concurred with their (the Environmental Assessment Advisory Committee) advice since I believe the project proposed should be reviewed under the Environmental Assessment Act to address outstanding biophysical matters, and to allow for an evaluation of alternate site designs". Staff immediately arranged an appointment with Ministry Staff to determine the extent of the "outstanding matters" and with B.A.R. Environmental and Ministry Staff prepared an outline of tasks, fees and proposed timing.

At its meeting held 1987 July 14, the Waterfront Committee recommended proceeding with the Environmental Assessment as outlined in B.A.R.'s proposal dated July 1987. Subsequent to that meeting, at the direction of the Committee, B.A.R. consulted further with the Ministry of the Environment and have amended the estimated completion date from January 1989 to the summer of 1988.

The Waterfront Committee recommended separating out any costs for a Public Hearing which is likely to be required at the end of the process. Following discussion with the City Treasurer and City Solicitor, we have indicated an estimated fee of \$50 000 for a hearing lasting two weeks. We are aggressively pursuing financial assistance from both the Federal and Provincial Governments, and are optimistic as a result of the discussions over the past three (3) weeks that the Provincial assistance will be forthcoming in the near future for the Waterfront Project.

- 3. That the Chairman and members of the Parks and Recreation Committee form a delegation to request the Ministry of the Environment to shorten the length of time with respect to the completion of the Environmental Assessment on the former Lax property.

RESPECTFULLY SUBMITTED,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

Mrs. Lori Peddle,
Acting Secretary

1987 July 28

- * THIRTEENTH Report of the Parks & Recreation Committee added during Council.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Planning and Development Committee presents its FOURTEENTH Report for 1987 and respectfully recommends:

1. That APPROVAL be given to Zoning Application 87-50, Tony, Gino and Tony Malatesta, prospective owners, for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District, of property located at the north-west corner of Stone Church Road East and Rochelle Avenue, as shown on the attached map marked as APPENDIX "A" on the following basis;

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District; and
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6543 and Zoning District Map E-49C; and
- (c) That the proposed change in zoning is in conformity with the Official Plan for the City of Hamilton.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District.

The effect of the By-law is to permit development of the subject lands for small lot single-family detached dwellings.

2. (a) That APPROVAL be given to City Initiative 87-E requesting a modification to the "H" (Community Shopping and Commercial, etc.) District regulations for property located at 1814 King Street East as shown on the attached plan marked as Appendix "B" on the following basis:
 - i. That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593 be modified to include the following as a special requirement:
 1. Notwithstanding Section 14(1) of By-law 6593, a petting zoo shall be permitted as an accessory use.

- ii. That the amending By-law incorporate the following definition of a petting zoo:
 - 2. A "Petting Zoo" means a place where domestic animals including goats, rabbits, pigeons, domestic fowl, and any other such small animals, except Class 4 and Class 5 animals as listed in By-law No. 84-191 are kept for the sole purpose of providing amusement to children permitted to handle the animals.
- iii. That the amending By-law be added to Section 19B of the Zoning By-law No. 6593 as Schedule S-1017, and that the subject lands on Zoning District Map E-66 be notated S-1017;
- iv. That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That By-law 84-191, passed under the Municipal Act, respecting the Keeping of Animals be amended to exempt a Petting Zoo.

NOTE: The purpose of the proposed By-law is to introduce a modification to the "H" (Community Shopping and Commercial, etc.) District regulations applicable to lands as shown on the attached Appendix "B".

The effect of the By-law is to permit a petting zoo, as an accessory use on the subject lands.

- 3. (a) That APPROVAL be given to Application SA-79-09, Todac Construction Limited, owner, to establish a draft plan of subdivision on the south side of Rymal Road east of a proposed extension of Upper Gage Avenue, subject to the following conditions:
 - i. That this approval apply to the plan prepared by A.J. Clarke and Associates, dated March 24, 1987, revised to show 144 lots, 3 blocks for 58 townhouse units, 2 blocks for 216 medium density apartment units, 14 blocks for development with adjacent land, two blocks for sewer easements, one block for open space purposes, one block as a walkway and four blocks for 0.3m reserves.
 - ii. That the road allowances be dedicated as public highways and the walkway (Block "161") be dedicated as public walkway on the final plan.
 - iii. That the streets be named to the satisfaction of the City of Hamilton and Regional Municipality of Hamilton-Wentworth.

- iv. That the final plan conform with the Zoning By-law approved under The Planning Act.
 - v. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
 - vi. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - vii. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
 - viii. That the dead-ends and open side of the road allowance created by the plan be terminated in 0.3m reserves to be conveyed to the City of Hamilton and held by the City until required for the future extension of the road allowances or development of abutting lands.
 - ix. That Blocks "145" to "155" (inclusive) and "169" to "177" (inclusive) be developed only in conjunction with abutting lands.
 - x. That Street "A" must align centreline to centreline with Rockland Avenue as established under Plan 62M-505.
 - xi. That Block "168", the sewer easement, be developed as an emergency access between Street "A" and Street "F".
 - xii. That the owner shall erect a sign in accordance with Section X of the Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
 - xiii. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-79-09), Todac Construction Ltd., owners, proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

4. That APPROVAL be given to Application SA-85-17, Mrs. Constance Adam, owner, to establish a draft plan of condominium located at the south-westerly corner of Charlton Avenue West and MacNab Street South, subject to the following condition:
 - (a) That this approval apply to the plan prepared by A. J. Clarke and Associates, dated January 17, 1977.
 - (b) That the Council of the Regional Municipality of Hamilton-Wentworth be advised that this application is exempted under the Rental Housing Protection Act.
5. That the proposed Plan for the Mewburn Neighbourhood, as shown on the attached map, marked as Appendix "C", and the attached Policies, marked as Appendix "D" be APPROVED.
6. That James Street North not be designated as a heritage conservation district, with great reluctance.

NOTE: The City commissioned a heritage conservation district plan for James Street North between King Street and the CN Tracks. Nick Hill, a heritage planning consultant, prepared the plan in conjunction with an Advisory Committee. The Advisory Committee supported the plan in principle, but did not support a heritage district designation or related implementation policies. The merchants wish to disassociate themselves from heritage district designation before proceeding to discuss ideas generated during the study, some of which they feel have merit. Therefore, it is recommended that the heritage district not be designated.

LACAC, at its meeting held 1987 June 22, adopted a resolution that James Street North from King Street to the C.N. Tracks be designated as a historical district of major architectural and historical significance.

7. That Zoning Application 87-31, Jubilee Consultant Services, prospective owner, requesting a change in zoning from "D" (Urban Protected Residential, etc.) District, modified to "RT-10" (Townhouse) District, modified and a further modification to the "RT-10" (Townhouse) District, to permit the development of Blocks "1" and "2" for 73 townhouses, for the property located at No. 613 Stone Church Road East, BE DENIED on the following basis:
 - (a) it is inappropriate development for the area.

- * 8. (a) That the present staff level of the Building Department be increased by:
- Four Building Inspectors
Four Zoning Examiners and Code Correlators
Four Stenographer III's, and
- (b) That One Steno II position be reclassified to a Steno I; and One Building Engineer be reclassified to a Chief Building Engineer, and
- (c) That the budget of the Building Department be increased by \$284 000. effective immediately.
- (d) That the Finance Committee be requested to recommend the method of financing.
- (e) That the Building Department's 1987 revenue estimates be increased by \$300 000.

NOTE: The Building Commissioner has been requested to compile a report on the complement of Building Department staff over the last three years, as well as the degree of work load activity within the Department during that same time frame. This report will be forwarded to the Planning and Development Committee and Personnel Committee.

9. That the Department of Community Development be authorized and directed to process the following Designated Property Grants:

	<u>Amount</u>
(a) Mr. Carl Kopriva 233 and 235 Locke Street North (Castle Dean)	\$6 000
(b) Mr. Pasquale DiDonato 255-265 James Street North	\$15 000

10. That the Department of Community Development be authorized and directed to process the following Community Heritage Trust Fund Loans:

	<u>Amount</u>
(a) Mr. Carl Kopriva 233 and 235 Locke Street North (Castle Dean)	\$5 150
(b) Mr. Pasquale DiDonato 255-265 James Street North	\$15 000

NOTE: The above loans to be at six percent interest, amortized over a ten-year period.

* Section 8 amended, see page 1504

07/28/87

11. That the following Commercial Facade Loans be approved:

	<u>Amount</u>
(a) Mr. Glen Morgan 335 Upper Wentworth Street	\$16 620
(b) Mr Pasquale DiDonato 255-265 James Street North	\$50 000

NOTE The above loans to be at 4-5/8 percent interest, amortized over a ten-year period.

12. That the account in the amount of \$13 410.46 to Weir and Foulds for legal fees be paid.

NOTE: The law firm of Weir and Foulds were retained to represent the Corporation of the City of Hamilton in a case respecting By-law 84-35 - Edward Allen, 81 Francis Street, Hamilton.

RESPECTFULLY SUBMITTED,

ALDERMAN JOHN SMITH, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder
Acting Secretary

1987 June 24

* Section 8 amended to read:

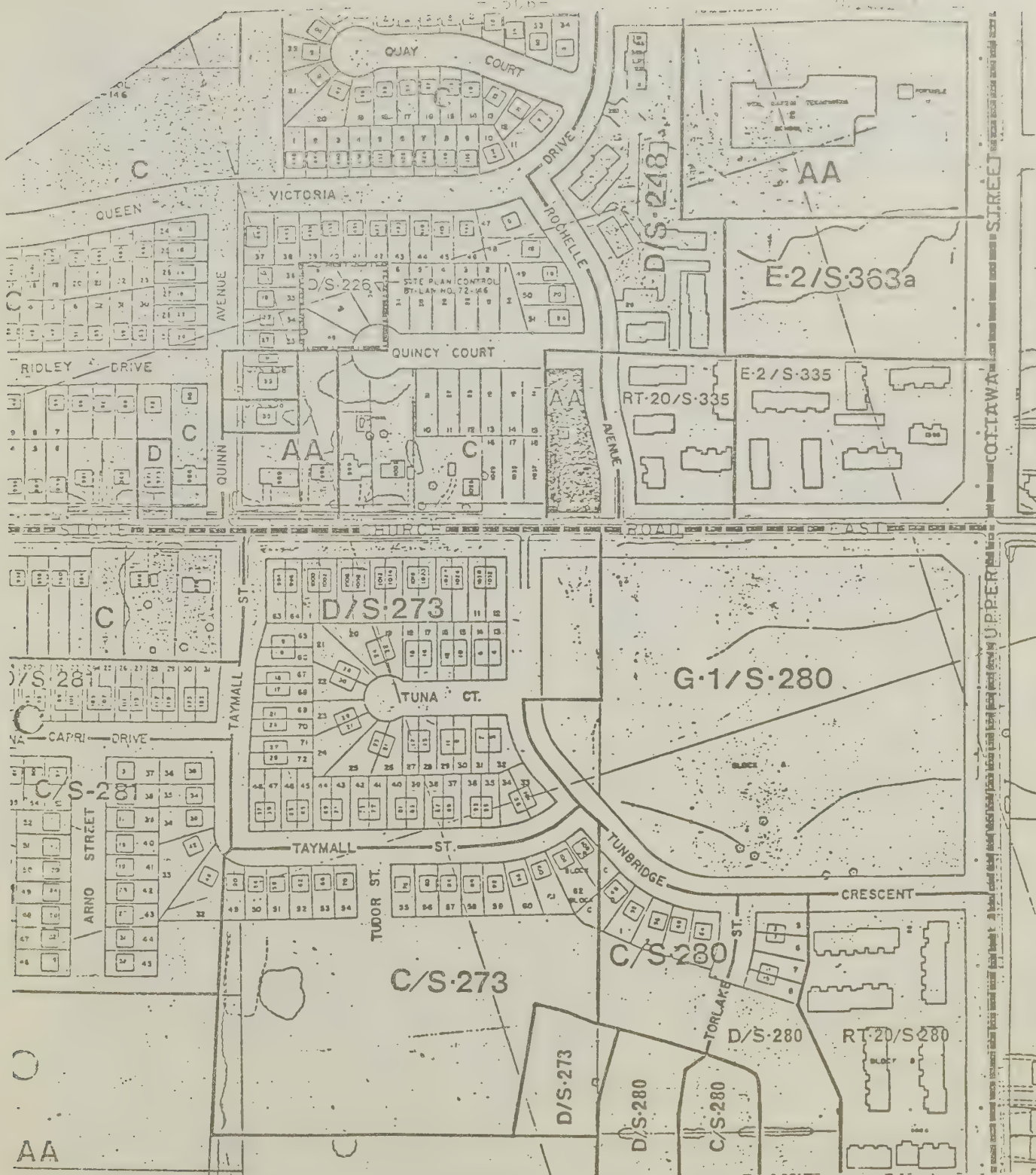
8. (a) That the present staff level of the Building Department be increased by:

Three Zoning Examiners and Code Correlators
One Stenographer III's, and

- (b) That One Steno II position be reclassified to a Steno I; and
One Building Engineer be reclassified to a Chief Building Engineer, and

- (c) That the budget of the Building Department be increased by \$60 000. effective immediately.
- (d) That the Finance Committee be requested to recommend the method of financing.

NOTE: The Building Commissioner has been requested to compile a report on the complement of Building Department staff over the last three years, as well as the degree of work load activity within the Department during that same time frame. This report will be forwarded to the Planning and Development Committee and Personnel Committee.



LEGEND

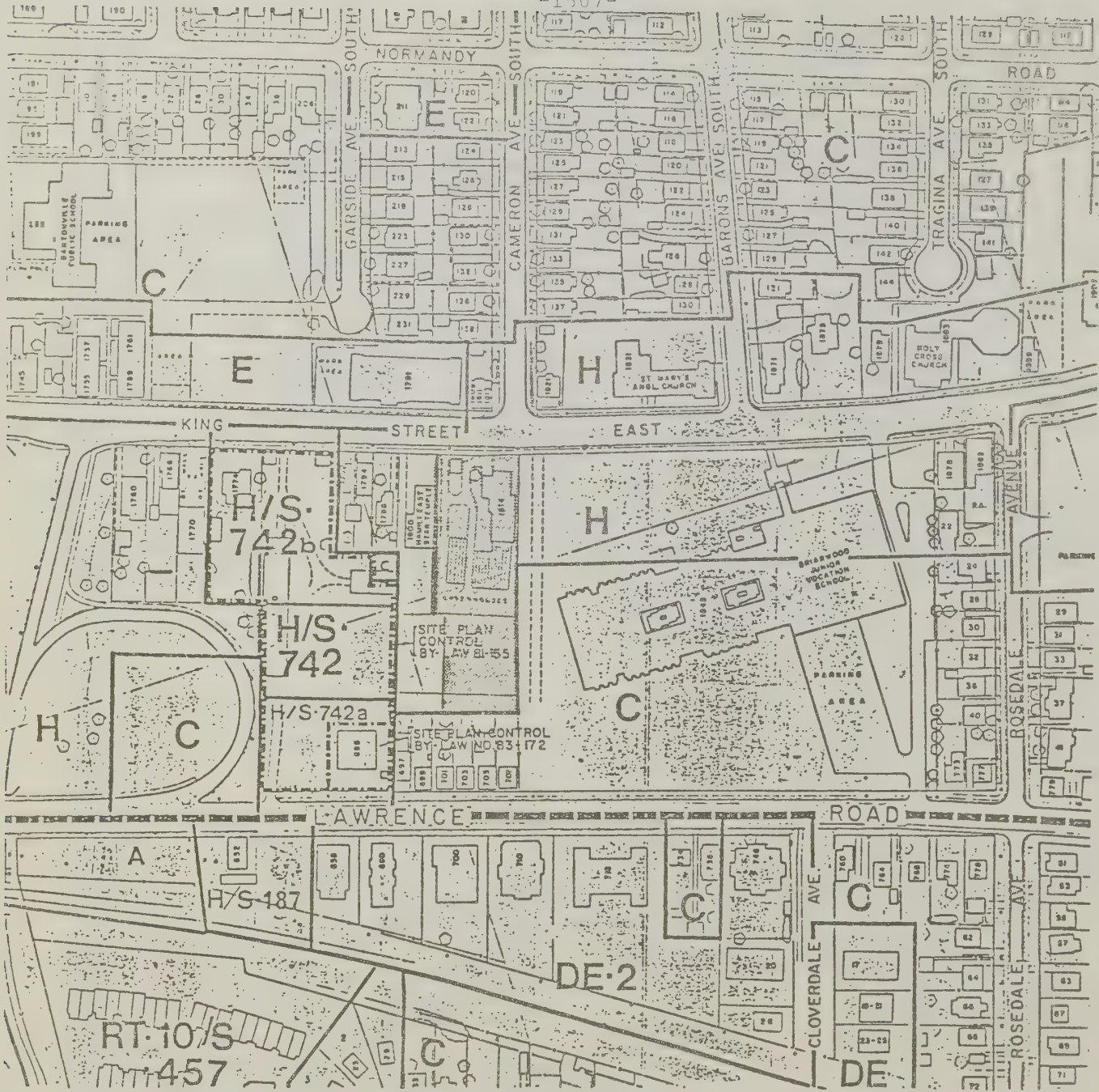


SITE OF THE APPLICATION

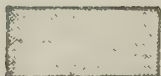
Appendix "A" as referred to in Section 1 of the 4th Report of the Planning and Development Committee

07/28/87

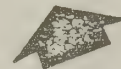
-1507-



LEGEND

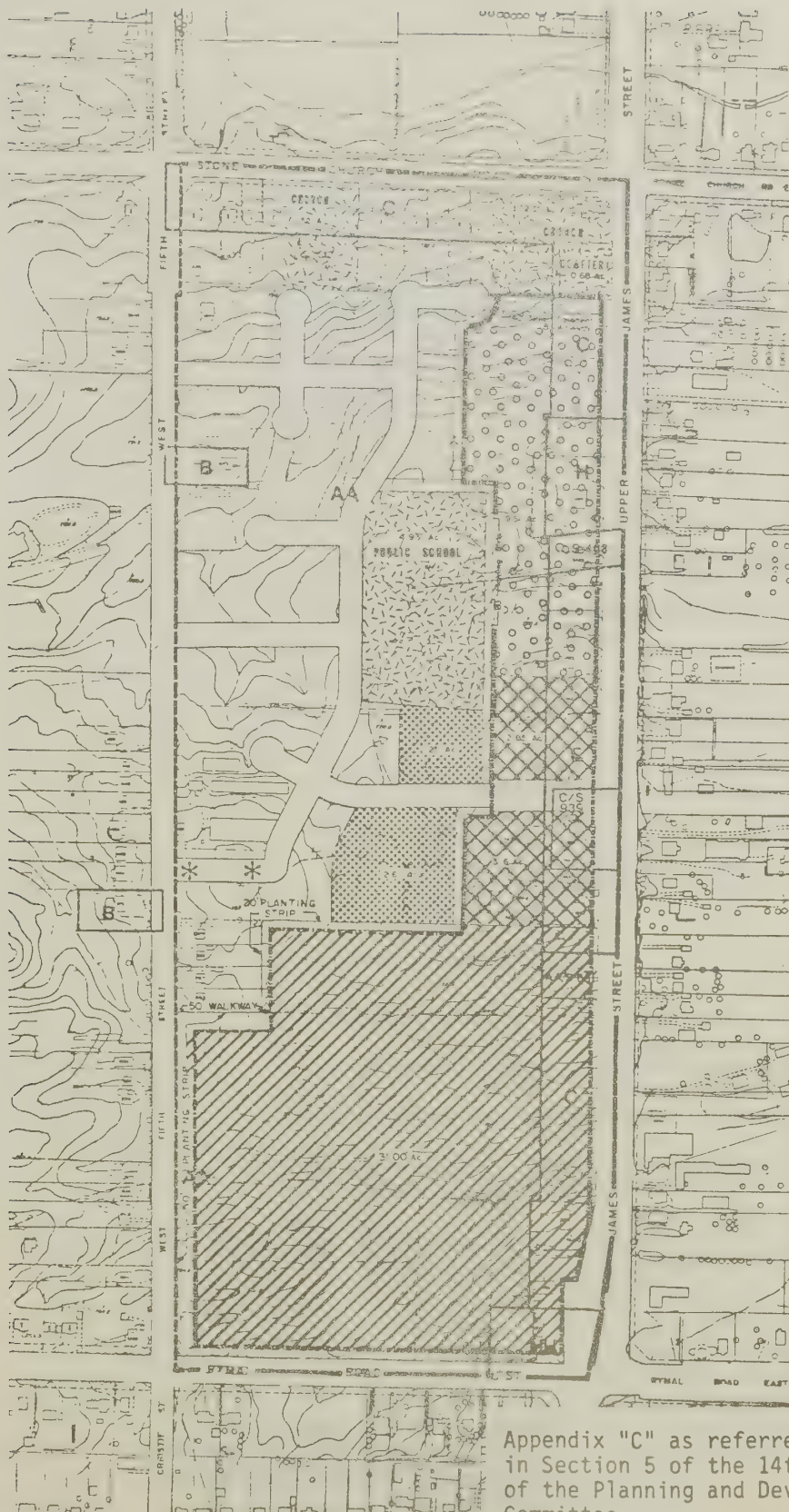


SITE OF THE APPLICATION



C.I. 87-E

Appendix "B" as referred
in Section 2 of the 14th Report
of the Planning and Development
Committee



EXISTING POPULATION (1985) 185

LEGEND

- CITY OF HAMILTON EXISTING PARK LAND SITE
- BOARD OF EDUCATION FOR THE CITY OF HAMILTON EXISTING SCHOOL SITE
- △ LIMIT OF DRAINAGE AREA
- AREA SUBJECT TO URBAN DESIGN GUIDELINES
- * * LOCATION OF PROPOSED ROAD DEFERRED

NOTE: THIS IS A GUIDE PLAN ONLY AND SUBJECT TO CHANGE. FOR DETAILS CONTACT THE LOCAL PLANNING DIVISION OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH.

LAND USE

RESIDENTIAL

- single & double
- attached housing
- low density apts.
- medium density apts.

- ▨ COMMERCIAL
- ▨ COMMERCIAL & RETAIL WAREHOUSE
- ▨ NEIGH'D COMMERCIAL
- ▨ CIVIC & INSTITUTIONAL
- ▨ PARK & RECREATIONAL
- ▨ OPEN SPACE
- ▨ UTILITIES

- Neighbourhood Boundary
- Zoning Boundary

Approvals
Planning Comm. JUN 24/87 Council

Revisions		

CITY OF HAMILTON
PLANNING DEPARTMENT
MEWBURN (EAST)
PROPOSED PLAN

Appendix "C" as referred to
in Section 5 of the 14th Report
of the Planning and Development
Committee

SCALE 1:10,000

MEWBURN NEIGHBOURHOOD PLAN
POLICIES

June 1987
W.P. DOC. 3051P

Appendix "D" as referred to
in Section 5 of the 14th Report
of the Planning and Development
Committee

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I INTRODUCTION

The Mewburn Neighbourhood Plan consists of a detailed land use plan and policy framework to guide development of the neighbourhood.

The Plan includes:

- 1) A map which defines the land use pattern and road pattern.
- this is contained in Appendix A - Proposed Plan.
- 2) A set of written policies which describe in detail the nature of development and the actions required to implement the plan.
- this is contained in Section VI - Neighbourhood Plan.

This report contains the neighbourhood plan and associated background information. It describes the reasons for the preparation of the plan, and outlines the existing planning policies which affect the neighbourhood. It describes the location and nature of Mewburn and puts the plan into the context of the overall neighbourhood planning process. The plan includes goals, objectives, policies and actions related to the development of the neighbourhood.

II BACKGROUND

The Mewburn Neighbourhood Plan is being prepared at this time due to the recent extension of municipal services to this area. A trunk sewer was constructed through the neighbourhood in 1985, to link the area along Upper James Street into the existing trunk sewer east of Upper Wellington Street. This sewer was required to service the Hamilton Street Railway's Mountain Transit Centre, located on Highway 6 in Glanbrook.

Changes were initiated to the Hamilton Official Plan to recognize the availability of services and the resulting potential for immediate development of these lands. The amendments to the Official Plan deal with the timing of development and the land use designations.

A Neighbourhood Plan for Mewburn was required to provide a detailed land use plan and help ensure the orderly development of the neighbourhood.

III EXISTING POLICY

The existing planning policy for the Mewburn Neighbourhood is based primarily on the Hamilton Official Plan. There are also two amendments to the Official Plan, O.P.A. No. 22 and O.P.A. No. 28, which describe the timing and nature of development in the South Mountain area along Upper James Street. Existing policy is also contained in studies on energy efficient neighbourhood planning.

The Official Plan for the City of Hamilton defines the general land use pattern for the neighbourhood. It also provides guidance on the maximum neighbourhood population densities, park areas and other planning criteria, as well as the staging of development.

A. Official Plan Amendments

Official Plan Amendment No. 22 removed the staging policies in the Hamilton Official Plan. Development of the South Mountain area of Hamilton was made possible earlier than originally anticipated, due to the extension of the trunk sewer to the Mountain Transit Centre. O.P.A. No. 22 was passed by Council on September 25, 1984, and approved by The Ontario Municipal Board on September 12, 1985. A special study, the "Upper James - South Mountain Area Study" was initiated to determine the best uses for lands in the neighbourhoods forming the Upper James Street corridor, including the Mewburn Neighbourhood.

Official Plan Amendment No. 28 was subsequently prepared to reevaluate the land use designations along the Upper James Street corridor. This amendment was passed by Council on October 29, 1985, and approved by the Minister of Municipal Affairs in mid-August, 1986. Land use designations in the Mewburn section of the corridor were changed from residential to commercial. Several special policy areas were also established to define the nature of these commercial areas.

The special policy areas established by O.P.A. No. 28 are defined in Appendix "D", which includes a copy of the amendment and the related map. Policy A.2.9.3.26 expands upon the Commercial policies of the Official Plan as they apply to this portion of Upper James St. by introducing three Special Policy Areas (31, 31b and 31c) in the Mewburn Neighbourhood, as follows:

- Area 31 includes the northeast and southeast corners of Mewburn. This area is designated for commercial uses.
- Area 31b includes the majority of the frontage along Upper James Street, excluding the northern, southern and mid-block portions. Permitted uses here include retail/warehouse uses in addition to commercial uses, subject to Official Plan policies A.2.2.16 and A.2.2.18.
- Area 31c includes the mid-block node. This area will provide neighbourhood-based retail and service uses, and may permit retail/warehouse uses.

O.P.A. No. 28 also states that the Mewburn Neighbourhood Plan must consider a number of design features. These are noted in Policy A.2.9.3.26(iii) in Appendix "D", and include items such as:

- the location of a mid-block collector road
- the extent of various types of commercial land use
- lot depths, frontages and building setbacks
- the location of access points, shared access and service roads.

Several other policies are also contained in O.P.A. No. 28, dealing with preparation of neighbourhood plan and related policies. Design guidelines are to be prepared in conjunction with the neighbourhood plan, to minimize conflicts between commercial and residential areas, enhance the visual appearance of the streetscape, and provide pedestrian linkages. A co-ordinated approach to the redevelopment of the area will be encouraged, by means of co-operation between adjacent property owners in matters of design.

There are also two Special Policy Areas within the Mewburn Neighbourhood, as contained on Schedule B-2 in the Hamilton Official Plan. Special Policy Area 22, which permits the development of a Neighbourhood Shopping Centre, is located along Rymal Road between West Fifth Street and Upper James Street. Special Policy Area 23 is located at the intersection of Stone Church Road and Upper James Street, and permits the development of a Convenience Shopping Centre. Since it is the intention of the Mewburn Neighbourhood Plan to retain the historic church and to permit multi-centre uses (as set out in O.P.A. No. 28) at Stone Church Road and Upper James Street, development of a Convenience Shopping Centre should not be encouraged at this location.

B. Multi-Centre Uses

The concept of the multi-centre is to provide a range of activities and services for the residents of the community to meet their weekly needs, and to provide medium density housing to maximize the utilization and cost-effectiveness of public transportation and the road network.

Multi-Centre uses such as institutional, recreational, and medium density residential, in addition to commercial, will be permitted in the vicinity of Upper James Street and Stone Church Road. These uses were introduced by means of O.P.A. No. 28, which also introduces the commercial designations along Upper James Street, and deleted the Sheldon Multi-Centre originally proposed for the intersection of West Fifth Street and Stone Church Road.

C. Energy Efficient Design

Maximizing the use of passive solar energy for heating is an important consideration in the design of Hamilton neighbourhoods. Research undertaken by the Planning Department has identified design criteria and methodologies which take into account environmental factors such as climate and topography. This approach can be used to help develop a recommended street alignment and land use pattern for the neighbourhood. These guidelines are described in the Background Report for the Mewburn Neighbourhood, and have been used in the preparation of the Plan.

IV NEIGHBOURHOOD PLANNING PROCESS

The Planning process involves several stages, including data collection, plan preparation, public involvement, revision and final adoption. The City of Hamilton Official Plan provides a land use concept and general policies which serve as a basis for the detailed policies contained in the neighbourhood plans. The following steps are involved in the process:

The Background Information Report is prepared as the first step. Information on all aspects related to planning of the neighbourhood is collected and summarized in report form. This includes population data, existing land use, municipal services and planning policies. The opportunities and constraints to development identified in this report form the basis for the preparation of the Plan. The Background Information Report for the Mewburn Neighbourhood was completed in August, 1986.

The Neighbourhood Policies and Plan consists of the land use map and written policies contained in this report. The policies are based on neighbourhood planning principles and attempt to provide desirable features such as safety, convenience and energy efficiency. For each land use type, objectives and policies are defined and specific actions are identified to assist in implementation.

A public meeting is held to discuss the details of the proposed plan with area residents and landowners. Citizens are invited to provide the Planning Department with any comments they have regarding the proposed plan.

Revision and adoption of the Neighbourhood Plan follows, based on the public review of the draft plan. Comments and submissions from the public and from staff departments are incorporated into the Plan, where possible. The final plan is presented to the Planning and Development Committee for review and approval, and then to City Council for adoption. Official Plan amendments and zoning changes may be considered at the same time that the plan is adopted, or at a later date.

V DESCRIPTION OF THE STUDY AREA

The Mewburn Neighbourhood is located in the south Mountain area of Hamilton. It is bounded by Stone Church Road to the north, Upper James Street to the east, Rymal Road to the south and a diagonal boundary including part of West Fifth Street to the west.

The neighbourhood is roughly rectangular in shape, with a curved western boundary, approximately 56 hectares (143 acres) in area. At one time there was a proposal to swing West Fifth Street further west, south of Stone Church Road. This would have provided a more uniform spacing of arterial roads in this developing area. The western boundary of the Mewburn Neighbourhood was based on this proposed roadway. This new roadway section will not be built, due to the location of recent developments in the area. The curved neighbourhood boundary will remain the same.

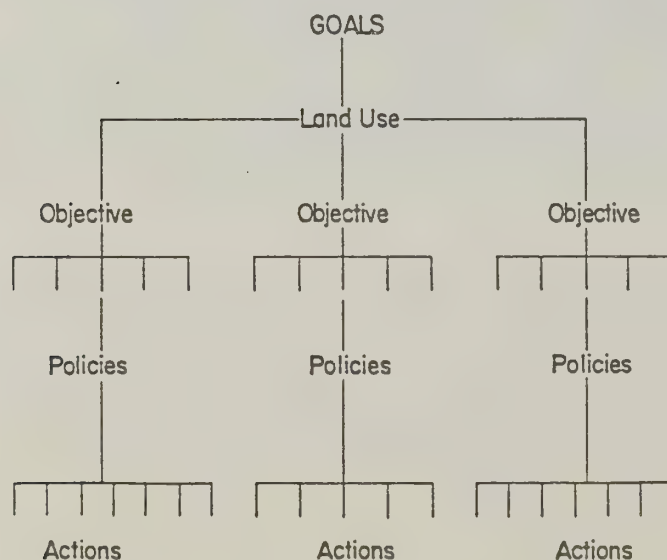
There are a variety of urban and suburban land uses in the Mewburn neighbourhood. The neighbourhood is mainly undeveloped with agricultural and vacant lands located in the interior. Single family homes are located along West Fifth Street, Stone Church Road and Rymal Road. Several commercial establishments are located along Upper James Street, including a garden centre, a bank, automotive service stations and fast food outlets. Institutional uses such as churches and associated buildings are located along Stone Church Road, close to Upper James Street.

VI NEIGHBOURHOOD PLAN

The Mewburn Neighbourhood Plan is a guide for the future development within the area. The Plan is an extension and elaboration of policies which exist in the City of Hamilton Official Plan.

The Plan includes:

- 1) A diagrammatic representation of the street pattern and land use locations; and
- 2) A set of written policies ranging from the broad to the more specific. (Refer to figure below.)



The goals represent the broad overall aims for the Neighbourhood. The objectives are more specific focussing on the aims for each land use. The policies are the governing principles through which the objectives may be achieved. Finally, the actions refer to particular initiatives which the City and/or other agencies must undertake to implement the established objectives and policies.

A) Goals

There are three major goals which the Mewburn Neighbourhood Plan attempts to achieve, namely:

- 1) neighbourhood self-sufficiency;
- 2) efficient and attractive design; and,
- 3) a viable commercial area on Upper James Street.

The neighbourhood will provide for the needs of its residents, as much as possible within a primarily residential area. The Plan contains a broad range of land use designations, to help ensure that community services such as a school, parkland and neighbourhood stores are provided.

The neighbourhood will be developed in an efficient and attractive manner. Energy efficient design to allow use of passive solar heating, cost effectiveness, convenience and safety have been considered in the design of the road pattern and lot layout. The neighbourhood will be developed to be visually attractive and the unique character of the area will be highlighted.

The Upper James Street corridor will be developed in a manner which recognizes its role as an important entrance into the city, and as a viable commercial area. Urban design guidelines, contained in Appendix "C" of this report, have been prepared to help ensure an orderly and attractive streetscape for this corridor.

B) Objectives, Policies and Actions

1) RESIDENTIAL

Objective 1 - Variety of Housing Densities

The Mewburn Neighbourhood will provide low and medium density housing in a variety of housing types and densities. Low density residential areas will be located mainly in the centre of the neighbourhood. Medium density residential areas will be located along or near the arterial roads, as long as these areas are compatible with adjacent residential densities.

Policies

- 1) Areas in the Mewburn Neighbourhood will be designated for single and double family housing, and attached housing.
- 2) Areas designated for single and double family housing (i.e. low density) will be located principally in the interior of the Neighbourhood.
- 3) Areas designated for attached housing (i.e. medium density) will be located along the arterial roads on the exterior of the Neighbourhood or adjacent to the collector roads in the interior of the Neighbourhood. Existing residential densities will be considered in the designation of these areas. A limited number of traffic access points should be provided for these developments.
- 4) New residential lots will be provided in a variety of sizes, with the largest lots provided for single family homes in choice locations such as in the interior of the neighbourhood and in areas where large lots are already established.
- 5) Residential development located adjacent to arterial roads will be protected from excessive traffic noise, by means of appropriate measures such as berms, placed on private property.
- 6) Development for residential and other uses will be sensitive to any areas of archaeological significance which may be found during development of the area.

Actions

- 1) The City, through the Planning Department, will designate areas for various residential densities, but will not prezone residential lands.
- 2) The City will designate areas for attached housing which have access from arterial or collector roads only.
- 3) The City will utilize site plan control to help ensure the appropriate design of attached housing areas, including landscaping, access, and separation and buffering between adjacent uses.
- 4) The City will encourage developers to submit plans of subdivision with larger lots in the interior of the Neighbourhood, and smaller lots on the perimeter.
- 5) The City will require that where excessive traffic noise is a problem on arterial roads adjacent to new development, appropriate noise attenuation features such as berms will be provided by the developer, located on private property at the expense of the developer.
- 6) The City will require that developers preserve areas of archaeological significance such as any Indian villages, burial sites or similar features which may be found during the development of the area.

Objective 2 - Compatibility with Existing Development

Future residential development will not adversely affect the existing residential units within Mewburn or in adjacent neighbourhoods.

Policies

- 1) New development located adjacent to existing dwelling units will be of a type and scale that will not adversely affect existing dwellings.
- 2) The subdivision of existing large lots will be encouraged to provide for infilling, where access is available.
- 3) New development should take into account the possible shadow effects on the existing developments.

Actions

- 1) The City will attempt to ensure the compatibility of new development, including the recognition and retention of existing dwellings, by means such as subdivision agreements and site plan control.
- 2) The City will encourage the subdivision of existing large lots to permit infilling, where possible.

Objective 3 - Variety of Housing Cost

A mixture of residential units affordable for various income levels will be provided within the Neighbourhood.

Policies

- 1) The establishment of subsidized housing in the Neighbourhood will be considered.

Actions

- 1) The City will endeavor to promote subsidized housing by encouraging non-profit organizations to make use of available Government programs.

Objective 4 - Utilization of Passive Solar Energy

Residential development should make use of existing topography, microclimatic features and vegetation from which passive solar energy may be maximized.

Policies

- 1) Buildings will be encouraged to have a southern orientation in order to maximize the energy received from solar radiation.
- 2) The buildings should be situated to minimize shadow impacts on adjacent dwelling units.
- 3) North-south streetscapes will be subject to sunlight analysis.
- 4) Subdivision plans which utilize existing and proposed vegetation, topography and microclimate to their advantage will be encouraged.

Actions

- 1) The City will incorporate energy efficient planning as an integral part of residential subdivision plans and site plan agreements, where applicable. Both subdivision and site plans will include detailed designs for streets, lots, building location and orientation, shadow and wind effects, vegetation, solar access, and impacts on surrounding lots.
- 2) The City will encourage developers and home owners to plant deciduous trees on the south faces of buildings to promote shading in the summer and light access in the winter. Similarly, coniferous trees should be located on the north faces for cooling and heating purposes. Mature trees will be retained wherever possible.
- 3) The City will encourage developers to apply the research conducted by the Planning and Development Department on site design (e.g. orientation toward the sun and wind) for their site plans and building designs.
- 4) The City will design the internal road pattern of the Neighbourhood based on topographic analysis, to maximize cost effectiveness, in accordance with accepted geometric design standards.
- 5) The City will encourage developers to minimize regrading and to take advantage of existing topography in their subdivision designs.
- 6) The City will request developers to redesign subdivision plans which are not cost efficient, in terms of fuel and solar energy savings, as determined from solar efficient design analysis.

Objective 5 - Use of Innovative Housing Design

The energy efficiency of the Mewburn Neighbourhood will be improved through modification of existing development standards, where possible.

Policies

- 1) Development of homes that may be easily partitioned to create extra dwelling units will be permitted.
- 2) Innovative housing types including "key-shaped" lots, small-lot and zero-lot line single family dwellings and earth-sheltered housing will be encouraged.

Actions

- 1) The City, in co-operation with interested developers and/or builders, will investigate cost-sharing arrangements with senior levels of government in order to construct one or more of the innovative housing types mentioned above.
- 2) The City will investigate modification of the existing zoning by-law requirements for individual residential developments where analysis shows sufficient cost effectiveness.

2. Commercial

Objective 1 - Upper James Street Commercial Area

The Upper James Street Corridor should be recognized as a special commercial area of city-wide significance with a high quality of commercial uses and designs suitable to its location as one of the major entrances to the City. However, the development of the Upper James Street Corridor as a commercial area should not unduly impact or undermine existing commercial areas elsewhere in the City.

Policies

- 1) The commercial designations along Upper James Street will include the following, as shown on the Plan:
 - Commercial (general)
 - Commercial and Retail Warehouse
 - Neighbourhood Commercial
- 2) Adequate parking and loading facilities will be required for all new commercial areas.
- 3) The design of commercial uses on Upper James Street will be co-ordinated so that design features such as parking, landscaping, access, and appearance are as integrated and contiguous as possible.
- 4) The commercial uses on Upper James Street will be designed so that they do not unduly disrupt the orderly flow of traffic.
- 5) Measures will be taken to ensure that commercial uses will not unduly affect adjacent residential areas.
- 6) The consolidation of ownership of properties along Upper James Street will be encouraged to allow for the better design of the commercial areas and to minimize access to the street.
- 7) Existing narrow lots along Upper James Street will be developed in conjunction with adjacent properties, where possible, to provide lots of at least 30 m (100 ft.) frontage.

Actions

- 1) The City will make all commercial uses along Upper James Street subject to site plan control to ensure that adequate parking and loading spaces are provided, parking lots are integrated with adjacent lands and adequate landscaping, fencing and setbacks are provided in commercial areas adjacent to residential uses.
- 2) The City will encourage developers to co-operate with adjacent property owners in matters such as shared access, shared parking, similarity in architectural quality and design, and landscaping.

- 3) The City, by means of site plan control, will ensure that the number of vehicular accesses to Upper James Street from commercial areas is minimized to reduce the number of traffic conflicts.
- 4) The City, by means of zoning by-law will encourage the following uses in lands designated retail/warehouse (while other general commercial uses will also be permitted):
- factory outlets;
 - wholesaling (not including food);
 - business offices;
 - car, truck (non commercial), and recreational vehicles sales;
 - factory repair depots for consumer goods;
 - entertainment facilities (unlicensed);
 - recreational facilities (unlicensed);
 - home improvement centres (building supply centres);
 - furniture or appliance sales;
 - other home furnishings;
 - clubs (unlicensed);
 - hotels or motels;
 - catalogue retail establishment;
 - manufacturers sample or showroom;
 - automotive repair and service;
 - opticians laboratory;
 - pharmaceutical laboratory;
 - restaurants;
 - swimming pool and other outdoor recreation sales;
 - professional offices; and
 - nurseries.

Note: This is a preliminary list for discussion purposes. A finalized list will be prepared later.

- 5) Notwithstanding the above, warehousing or storage of goods and materials will be permitted as an ancilliary use on lands designated retail/warehouse provided that the total area available for storage does not exceed 50% of the gross building area.
- 6) Notwithstanding the above, limited light industrial uses may be permitted in lands designated retail/warehouse subject to the following, as outlined in the City of Hamilton Official Plan policy A.2.2.18: ..
- the industrial activity is ancilliary to the uses specified above;
 - adequate loading facilities are provided;
 - adequate sewer and water services are available to the site;
 - the industrial activity is not noxious by virtue of noise, heat, glare, dust, vibration, or other emissions; and
 - the use does not interfere with the attractiveness or viability of the area for the primary permitted uses.

In addition, consideration will be given to limiting the industrial activity to 33% of the gross leasable floor area.

- 7) The outdoor storage or retailing of goods or materials will not be permitted, with the exception of nurseries, swimming pool sales, and automobile sales (new and used).
- 8) The following provisions will apply to lands designated retail/warehouse in the Neighbourhood Plan:
 - the minimum lot frontage shall be 30 m. (100 ft.);
 - the minimum lot depth shall be 100 m. (325 ft.);
- 9) The Urban Design Guidelines contained in Appendix "C" of this report provide specifications concerning building height, rear yards, and buffering of adjacent residential uses by means of landscaping, berms and fences. These features will vary within the study area, depending on the types of commercial area and the nature of adjacent uses.
- 10) Structures designed as office uses, clubs, restaurants, entertainment facilities or for recreational uses will be subject to special parking provisions to ensure that adequate parking is provided.
- 11) No outdoor patios will be allowed in the rear yards of buildings or adjacent to residential areas. The Outdoor Patio By-law which came into effect in August 1986, defines the permitted locations for outdoor patios.
- 12) The City will develop special design guidelines for the signing of commercial and other establishments fronting onto Upper James Street at a later date. These guidelines may include specifications controlling height, setback, size and construction of signs.
- 13) The City will give consideration to special cases where existing narrow lots along Upper James Street make difficult the establishment of lots with at least 30 m (100 ft.) frontage.

Objective 2 - Neighbourhood Commercial

Neighbourhood commercial uses should be located in Mewburn to provide for the daily and weekly needs of the Neighbourhood residents.

Policies

- 1) Commercial uses in the area where the internal collector road intersects Upper James Street, mid-way between Stone Church Road and Rymal Road, may contain neighbourhood commercial uses to serve the local residents. These uses will be non-highway commercial in nature.

- 2) The neighbourhood commercial areas will offer goods and services to meet the Neighbourhood's daily needs.

Actions

- 1) The City will use the various commercial designations in the proposed neighbourhood plan to evaluate the appropriateness of commercial development applications.
- 2) The City will use Site Plan Control to ensure that commercial establishments are designed attractively and are suitably landscaped and buffered.
- 3) The City will not permit commercial uses such as taverns, billiard halls, public arcades, etc. in the areas designated commercial in the Mewburn Neighbourhood Plan.

Recorded vote on Section 12.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith. - 10.

NAYS: Aldermen Merling, Murray. - 2. CARRIED.

* * * * *

(A) EXECUTIVE COMMITTEE - FIFTEENTH REPORT.

* * * * *

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - ELEVENTH REPORT.

Recorded vote on Section 3.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Smith, Gallagher, Merling, Murray. - 14.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

Recorded vote on Section 13.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Murray. - 13.

NAYS: Aldermen Gallagher, Merling. - 2. CARRIED.

* * * * *

Recorded vote on Section 14.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Murray. - 13.

NAYS: Aldermen Gallagher, Merling. - 2. CARRIED.

* * * * *

Recorded vote on Section 15.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Murray. - 13.

NAYS: Aldermen Gallagher, Merling. - 2. CARRIED.

* * * * *

Objective 2 - Religious Institutions

Religious institutions (places of worship) are an important community service and are therefore encouraged to locate in the Mewburn Neighbourhood.

Policies

- 1) Existing religious institutions and associated uses along Stone Church Road should be retained, including the Barton Stone United Church and St. Timothy's Anglican Church.
- 2) The unique historical character of existing religious institutions should be preserved and highlighted, by means of special treatment such as the provision of adjacent landscaping and open space.
- 3) Additional religious institutions should be encouraged to locate in the vicinity of Upper James Street and Stone Church Road East, along with other Multi-Centre uses.
- 4) Religious institutions should be developed in a manner which is compatible with adjacent development.

Actions

- 1) The City will support plans for the development of places of worship in the vicinity of Upper James Street and Stone Church Road provided that they do not adversely affect surrounding land uses.
- 2) The City will permit places of worship to locate on arterial roads where appropriate. Such uses will be discouraged from locating in the interior of the neighbourhood where direct access to an arterial road is not available.
- 3) The City will encourage the enhancement of the unique historical character of the Barton Stone United Church, at the southwest corner of Upper James Street and Stone Church Road. Nearby commercial uses will be appropriately buffered by means of landscaping and distance separation.

4. INDUSTRIAL

Objective

Industrial developments are not planned for the Mewburn Neighbourhood. However, proposed home occupations should be assessed on a use-by-use basis.

Policy

- 1) The Mewburn Neighbourhood will not contain lands designated for industrial uses.

5. PARKS, RECREATION AND OPEN SPACE

Objective - Development and Integration of Sites

The parks and open spaces within the Mewburn Neighbourhood will be designed and developed to meet the needs of the Community. Pedestrian and bicycle links will be used to connect park areas and thus facilitate their use.

Policies

- 1) The City lands located at the western boundary of the Mewburn Neighbourhood, and in the adjacent Sheldon Neighbourhood, will be developed for a community park. Facilities in this park will include both active and passive recreational uses.
- 2) Park and recreational facilities for the use of neighbourhood residents will be encouraged on the proposed school site owned by the Board of Education.
- 3) Recreational facilities provided in Mewburn and the vicinity will be co-ordinated to prevent unnecessary duplication.
- 4) The existing cemetery located on Upper James Street, just south of the Barton Stone United Church, will be retained for cemetery uses.
- 5) The proposed community park, the public school site, and similar park uses in adjacent neighbourhoods such as Ryckmans should be linked by means of pedestrian and bicycle pathways.
- 6) The intensity of development of the community park will be governed by the limited access to arterial roads. The types of recreational uses at the community park will be in keeping with the limited access provided to this site, by means of local roads rather than major arterials.

Actions

- 1) The City will develop the community park at the western boundary of Mewburn to include appropriate recreational facilities.
- 2) The City will request the Board of Education to permit community use of the Board's property.
- 3) The City will encourage co-ordination of the recreational facilities provided at the proposed community park, the public school site, and other nearby facilities.
- 4) The City will ensure that the recreational facilities in Mewburn and vicinity are connected by means of pedestrian and bicycle pathways. These bicycle routes may be included in the paved portion of the road allowance, and marked by appropriate signs.

6. COMMUNITY SERVICES

Objective

To provide for the needs of local residents, the provision of appropriate community services will be encouraged in the Mewburn Neighbourhood. These facilities may be shared with adjacent neighbourhoods, depending on their nature and size.

Policies

- 1) High quality, convenient library services will be provided.
- 2) The proposed community park at the western boundary of Mewburn will provide a variety of recreational facilities.
- 3) The proposed school site will be considered as a location for additional recreational facilities and community services, if required.

Actions

- 1) The City will encourage the Library Board to monitor development in the neighbourhood to determine the need to expand their branch services and/or Bookmobile services.
- 2) The City will encourage the Culture and Recreation Department and other agencies to provide a wide variety of recreational opportunities and community services.

7. TRANSPORTATION

Objective 1 - Road Pattern

The road pattern will be designed to maximize energy efficiency and help ensure the safety and the convenience of the people it serves, while at the same time maximizing energy efficiency, where possible.

Policies

- 1) Energy efficiency will be an important factor in the design of the street system.
- 2) The local road pattern will be designed to discourage through traffic, while providing convenient access from each of the surrounding arterial roads.
- 3) Internal roads will be built as needed, to serve the local traffic in the neighbourhood.
- 4) The installation of traffic signals will be considered at such time as their installation will improve the traffic safety and overall capacity of the intersection, taking into consideration the installation warrants, and receiving appropriate approval from Regional Council, in accordance with the current practice.
- 5) As many mature trees as possible will be retained along roadways such as West Fifth Street to act as a buffer, in accordance with current roadway design practice. New trees will be planted where there is a deficiency in vegetation, so that roadways will be as attractive as possible.

Actions

- 1) The City, where possible and considering relevant geometric design criteria will design the street system and orientation of residences to maximize solar energy efficiency.
- 2) The City will consider redesignating West Fifth Street as a collector road, rather than an arterial, and closing off a short section of the street, to restrict through traffic in this residential area. The City would first assume jurisdiction of this roadway from the Region. Amendments to the road classification in the Regional and Hamilton Official Plans would be required.
- 3) The City will propose curvilinear road sections and short cul-de-sacs to the east and west of West Fifth Street, in accordance with geometric design standards, to discourage through traffic and provide convenient access.
- 4) The City, through the subdivision approval process, will ensure that the final street pattern is similar to the energy efficient design in the Neighbourhood Plan.

Objective 2 - Pedestrian and/or Bicycle Paths

Pedestrian and/or bicycle paths on public lands will be provided for the residents of Mewburn. These will be provided within the existing designated road allowance.

Policies

- 1) Pedestrian and/or bicycle paths will be provided, connecting the community park, commercial areas and the Board of Education lands. These will be incorporated into a pedestrian and/or bicycle system for the whole City.
- 2) The need for construction of sidewalks will be assessed if pedestrian and/or bicycle paths are provided.

Actions

- 1) The City will encourage the development of the pedestrian and/or bicycle paths through the processes of subdivision approval and site plan control.

Objective 3 - Public Transit

Convenient public transit service will be provided.

Policy

- 1) Public transit routes will be maintained and extended and expanded as necessary to serve the residents of the neighbourhood.

Action

- 1) The City will encourage the Hamilton Street Railway, in accordance with their existing service objectives, to provide adequate route service, to locate bus stops in convenient and accessible areas and to provide shelters and/or benches at most bus stops.

8. VEGETATION

Objective

Mature trees and other desirable vegetation will be retained and managed for amenity and energy conservation value on public and private lands where feasible.

Policies

- 1) Borders of mature trees in the vicinity of the Board of Education lands and the commercial lands along Upper James Street and other public and institutional properties will be retained wherever possible. These borders will be managed to act as visual boundaries and as buffers to control shade and wind in accordance with good tree management principles.
- 2) Mature trees along arterial roads will be retained wherever possible during development of the Neighbourhood, especially along West Fifth Street and Rymal Road.
- 3) Private property owners will be encouraged to design landscaping on their properties to maximize energy efficiency.

Actions

- 1) The City will retain mature trees and other desirable vegetation wherever possible through the subdivision and condominium approval processes and through site plan control.
- 2) The City will preserve West Fifth Street as a tree-lined boulevard, at such time as the City assumes jurisdiction of this roadway from the Region. The present practice of preserving vegetation during roadway improvement will be continued for any roadway widenings, especially in the case of mature trees.
- 3) The City will provide information and assistance to private property owners in establishing energy-conserving vegetation in residential areas.

9. URBAN DESIGN AND NEIGHBOURHOOD CHARACTER

Objective

A unique neighbourhood character will be created by means of appropriate urban design features, located throughout the neighbourhood and especially along the Upper James Street corridor.

Policies

- 1) Commercial lands along Upper James Street will be developed with special attention to design, to create an attractive and functional entrance to Hamilton.
- 2) The retail/warehouse development along Upper James Street will be designed to serve automobile-oriented users. A limited number of access points will be provided from the road, and front service roads will be introduced, to minimize traffic conflicts. Other features such as uniform front building setbacks, a limited number of attractively-designed ground level business signs and landscaping on public lands will be included, to provide an attractive and orderly streetscape.
- 3) The neighbourhood-based commercial area at the mid-block collector road will be designed to serve pedestrian users. It will be developed in the form of plazas, with wide sidewalks at the front corners of the intersection and parking at the rear, as shown in the Urban Design Guidelines in Appendix C.
- 4) The south-east corner of the neighbourhood will be designated for general commercial lands.
- 5) An open space area will be designated on all corners of the intersection of Upper James Street and Stone Church Road. Buildings will be set back to accentuate the historical Barton Stone United Church at the south-west corner of the intersection.
- 6) The intersection of Upper James Street and Rymal Road, traditionally known as "Ryckmans Corners", will be emphasized as the main crossroads in the south mountain area. Special road lighting and signage will be considered to distinguish this intersection.
- 7) Residential cul-de-sacs within the neighbourhood will be designed in a manner which considers the access needs of pedestrians, as well as vehicles.

- 8) Existing vegetation will be retained to the maximum extent possible. The existing trees along West Fifth Street will be preserved where possible. Extensive new landscaping will be introduced, especially on public lands.
- 9) Linked park and open space areas will be developed in the interior of the neighbourhood. These may include pedestrian and/or bicycle linkages between the community park and the Board of Education lands. The section of West Fifth Street which will be closed to vehicular traffic will be available as a walkway for pedestrians.
- 10) The preservation of designated heritage buildings will be encouraged, as will the preservation of older buildings which are of interest because of their historical character. The associated landscaping features will also be preserved, where possible.

Actions

- 1) The City will use the Urban Design Guidelines for the Upper James Street Corridor contained in Appendix "C" of this report, to provide detailed specifications for the various commercial and open space areas. These will define setback depths; the location and size of landscaped areas, pedestrian areas, service roads and parking areas; and the nature of shared vehicle accesses. These guidelines will be implemented by means of zoning by-law amendments and site plan control.
- 2) The City will require development of the mid-block neighbourhood plazas as a planned whole by one owner or a group of owners. Prezoning of these lands will be considered to facilitate appropriate development, as long as traffic-related concerns are adequately addressed.
- 3) The City, in co-operation with the Regional Municipality of Hamilton-Wentworth, will consider special road lighting and signing at the intersection of Upper James Street and Rymal Road. All lighting and signing will be in accordance with accepted engineering standards.
- 4) The City will provide information and assistance to the private sector to encourage the design of residential cul-de-sacs for pedestrian use.
- 5) The City will help ensure that new development is designed to retain existing vegetation and to include new landscaping.
- 6) The City will include pedestrian walkways and bicycle linkages in the design of the neighbourhood.
- 7) The City will encourage the preservation of the following heritage buildings, by means of various options such as the use of large lots:
 - The Parsonage at 1073 West Fifth Street
 - The Barton Stone United Church on Upper James Street at Stone Church Road
- 8) The City will attempt to preserve older buildings which are of interest, such as those located at 1155 and 1208 West Fifth Street.

10. INFRASTRUCTURE

Objective

Full municipal services will be provided to the Mewburn Neighbourhood.

Policies

- 1) Full municipal services, including storm and sanitary services and an adequate water supply, will be provided to serve the residents of the Neighbourhood.
- 2) Development will be permitted only on the basis of full municipal services.
- 3) Isolated developments will be discouraged.

Actions

- 1) The City will request the Regional Engineering Department to provide full municipal services sufficient to meet the needs of neighbourhood residents.
- 2) The Regional Engineering Department will periodically assess the need for the extension of municipal services within the Neighbourhood, to discourage isolated developments.
- 3) The City will not support development in the Mewburn Neighbourhood on the basis of temporary services.

II ADMINISTRATIVE PROVISIONS

The Neighbourhood Plan is a policy of City Council but is not incorporated into the Official Plan in its entirety. The Plan is not intended to be rigid. It is expected that there will be changes from time to time in response to new circumstances. However, changes should reflect the general goals of the Plan. Very minor alterations in land use and boundaries will not require a Neighbourhood Plan Amendment. However, other changes will need Council approval and full participation of those affected.

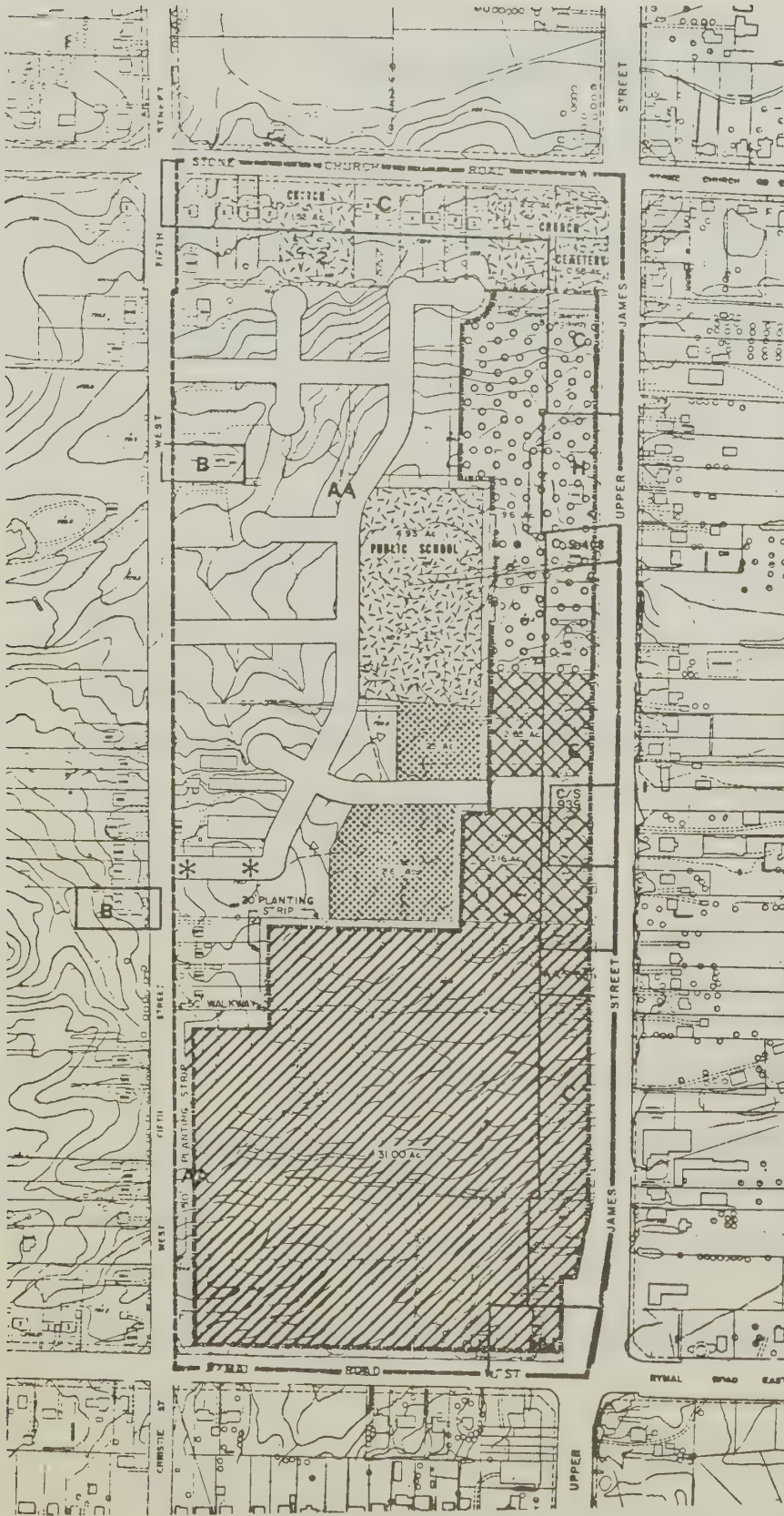
APPENDICES

07/28/87

-1541-

APPENDIX A

PROPOSED MEWBURN NEIGHBOURHOOD PLAN



EXISTING POPULATION (1985) 186

LEGEND

- CITY OF HAMILTON EXISTING PARK LAND SITE
- BOARD OF EDUCATION FOR THE CITY OF HAMILTON EXISTING SCHOOL SITE
- 4 LIMIT OF GRASSMARE AREA
- AREA SUBJECT TO URBAN DESIGN GUIDELINES
- * * LOCATION OF PROPOSED ROAD DEFERRED

NOTE: THIS IS A GUIDE PLAN ONLY AND SUBJECT TO CHANGE. FOR DETAILS CONTACT THE LOCAL PLANNING DIVISION OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

LAND USE

RESIDENTIAL

- single & double
- attached housing
- low density apts.
- medium density apts.

- COMMERCIAL
- COMMERCIAL & RETAIL WAREHOUSE
- NEIGH'D COMMERCIAL
- CIVIC & INSTITUTIONAL
- PARK & RECREATIONAL
- OPEN SPACE
- UTILITIES

- Neighbourhood Boundary
- Zoning Boundary

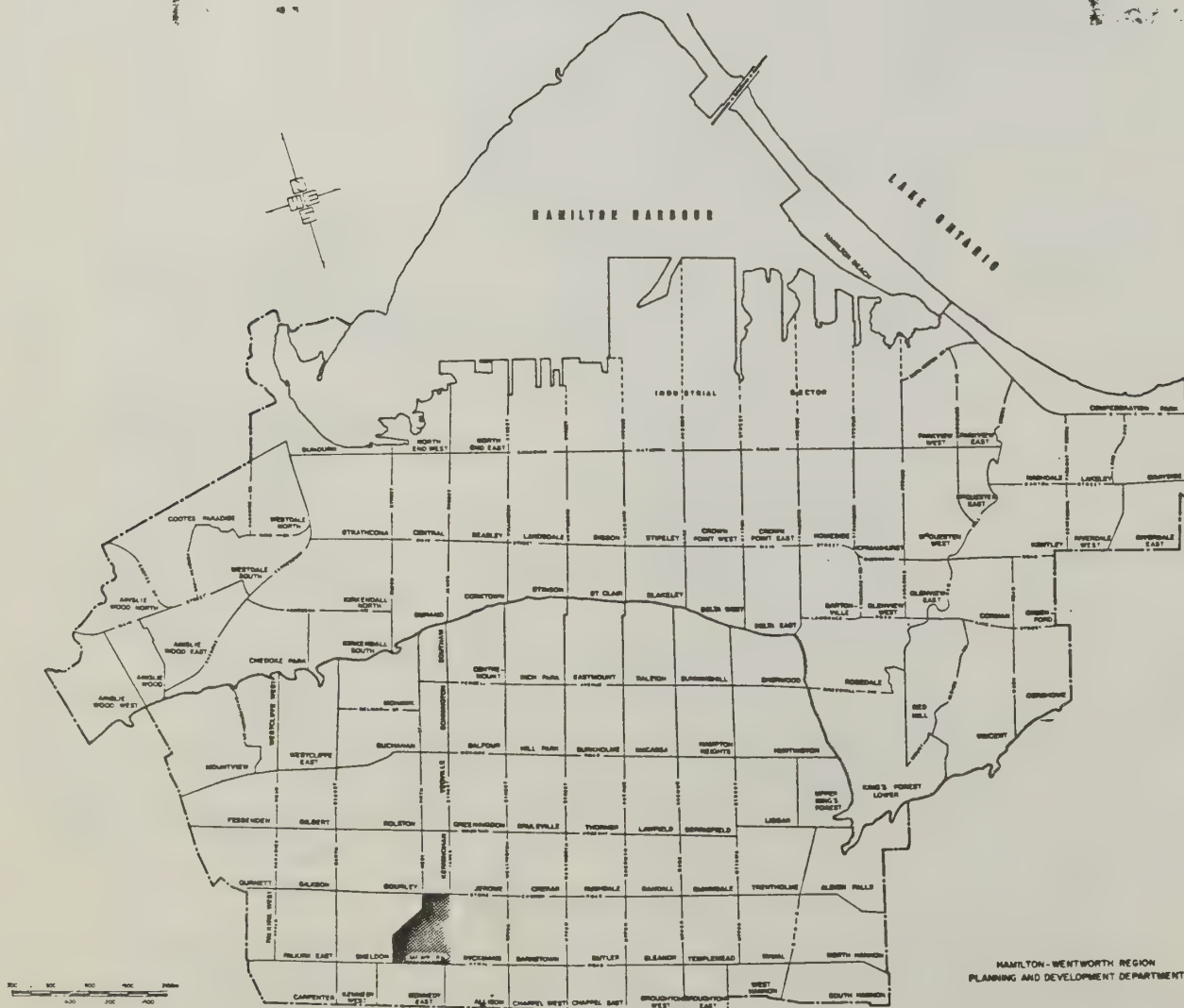
Approvals
Planning Comm. JUN 24/87 Council
Revisions

NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10	NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20	NO. 21	NO. 22	NO. 23	NO. 24	NO. 25	NO. 26	NO. 27	NO. 28	NO. 29	NO. 30	NO. 31	NO. 32	NO. 33	NO. 34	NO. 35	NO. 36	NO. 37	NO. 38	NO. 39	NO. 40	NO. 41	NO. 42	NO. 43	NO. 44	NO. 45	NO. 46	NO. 47	NO. 48	NO. 49	NO. 50	NO. 51	NO. 52	NO. 53	NO. 54	NO. 55	NO. 56	NO. 57	NO. 58	NO. 59	NO. 60	NO. 61	NO. 62	NO. 63	NO. 64	NO. 65	NO. 66	NO. 67	NO. 68	NO. 69	NO. 70	NO. 71	NO. 72	NO. 73	NO. 74	NO. 75	NO. 76	NO. 77	NO. 78	NO. 79	NO. 80	NO. 81	NO. 82	NO. 83	NO. 84	NO. 85	NO. 86	NO. 87	NO. 88	NO. 89	NO. 90	NO. 91	NO. 92	NO. 93	NO. 94	NO. 95	NO. 96	NO. 97	NO. 98	NO. 99	NO. 100
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CITY OF HAMILTON
PLANNING DEPARTMENT
MEWBURN (EAST)
PROPOSED PLAN



LOCATION MAP OF MEWBURN



LEGEND



Mewburn Neighbourhood

SOURCE: Hamilton-Wentworth Planning Department, 1987.

URBAN DESIGN GUIDELINES

APPENDIX C

UPPER JAMES STREET CORRIDOR

(MEWBURN SECTION)

Upper James Street is one of the major entrances to the City, as well as a developing commercial area. A variety of commercial uses will be encouraged, to serve the needs of local residents and the whole City.

Urban Design Guidelines have been prepared to help co-ordinate the future development of this area. These will help ensure that aspects such as the location of landscaping, access points, parking areas and building setbacks are adequate and uniform.

There are three types of commercial land use planned for this corridor, the design details of which are as follows:

1) Commercial

Location

- Northwest corner of Upper James Street and Rymal Road.

Permitted Uses

- General commercial uses, including neighbourhood commercial, highway commercial, and others.
- Appropriate uses include retail, personal services, automotive service stations, etc.

Design

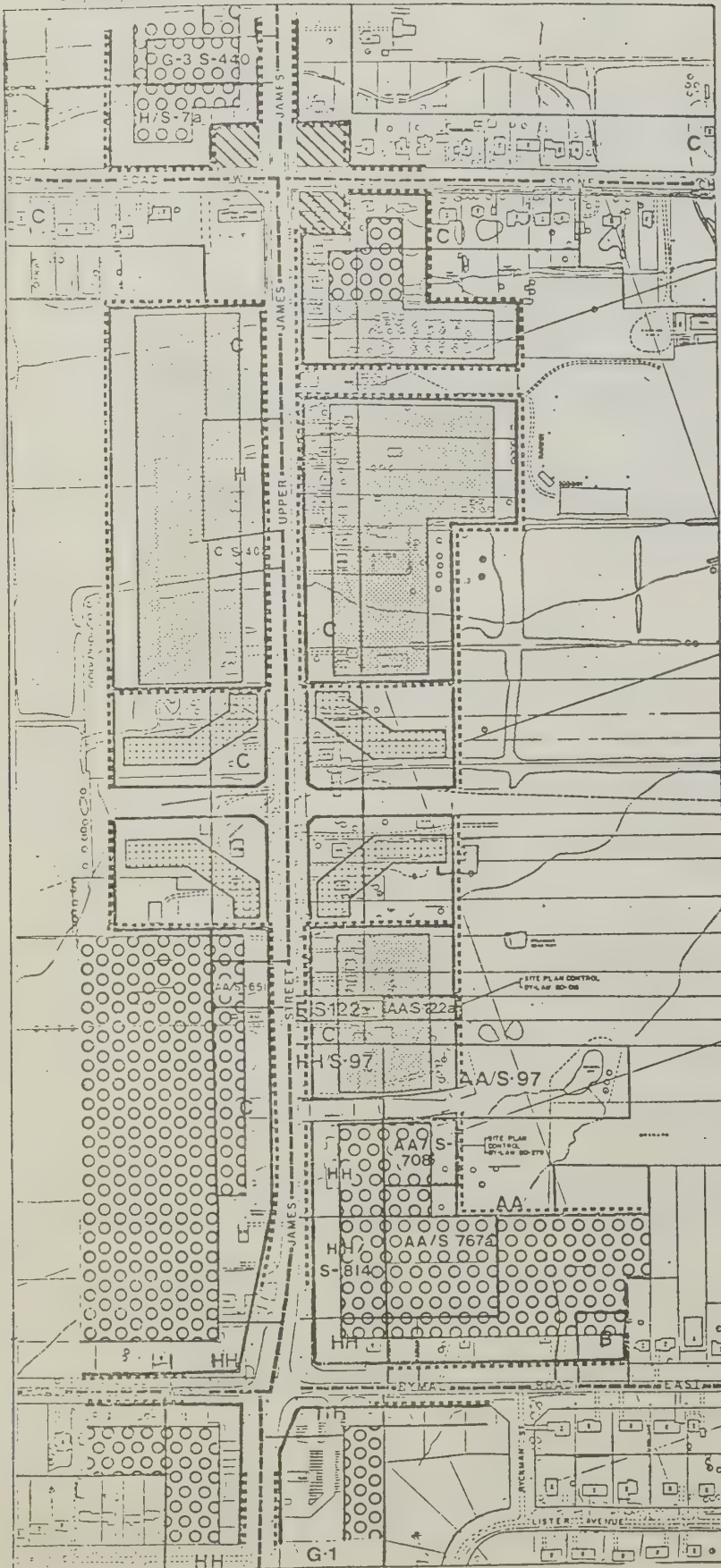
The following features are common to both the Commercial and Retail Warehouse, and Commercial areas:

- Landscaping strip along the front property line, 3 m (10 ft.) in depth.
- Front service road to rear of landscaping strip, 21 m (70 ft.) in depth, which will include:
 - two rows of parking spaces, on the east and west sides
 - a traffic laneway running north-south, between the parking spaces.
- Fronts of commercial buildings located 24 m (80 ft.) from the front property line, with variable building depth.
- Rear service road 21 m (70 ft.) wide, in same design as front service road, with two rows of parking spaces and traffic laneway.

URBAN DESIGN PLAN Upper James Street Corridor

LEGEND

-  Commercial
-  Commercial and Retail Warehouse
-  Neighbourhood Commercial
-  Landscaped Strip
-  Open Space



Note: The proposed building envelopes for the commercial establishments are shown.

These will be surrounded by front and rear service roads/parking areas and landscaping.

- 2 -

- Rear landscaping strip 3 m (10 ft.) in depth, along rear property line.
- Maximum building height of up to 8 stories would be permitted to prevent shading of adjacent properties, but actual building heights might be 1 to 2 stories.

Lot Size

- Frontage of at least 30 m (100 ft.) along Upper James Street.
- Lots with less than this minimum frontage will be considered in special cases.
- Depth of at least 90 m (300 ft).

Special Features

- Intersection of Upper James Street and Rymal Road designated as a main cross roads, with special lighting and signage.
- Front building line is jogged in this area, to compensate for curved section of Upper James Street.

2) Commercial and Retail Warehouse

Location

- Majority of frontage along Upper James Street, excluding lands at intersections of arterials and midblock collector.

Permitted Uses

- Retail warehouse commercial establishments, such as furniture and home furnishings sales outlets, motor vehicle sales, wholesaling, factory outlets, etc.
- Further suggested uses are listed within Section 2. Commercial of the policies in the Neighbourhood Plan.

Design

The following features are common to both the Commercial and Retail Warehouse, and Commercial areas:

- Landscaping strip along the front property line, 3 m (10 ft.) in depth.

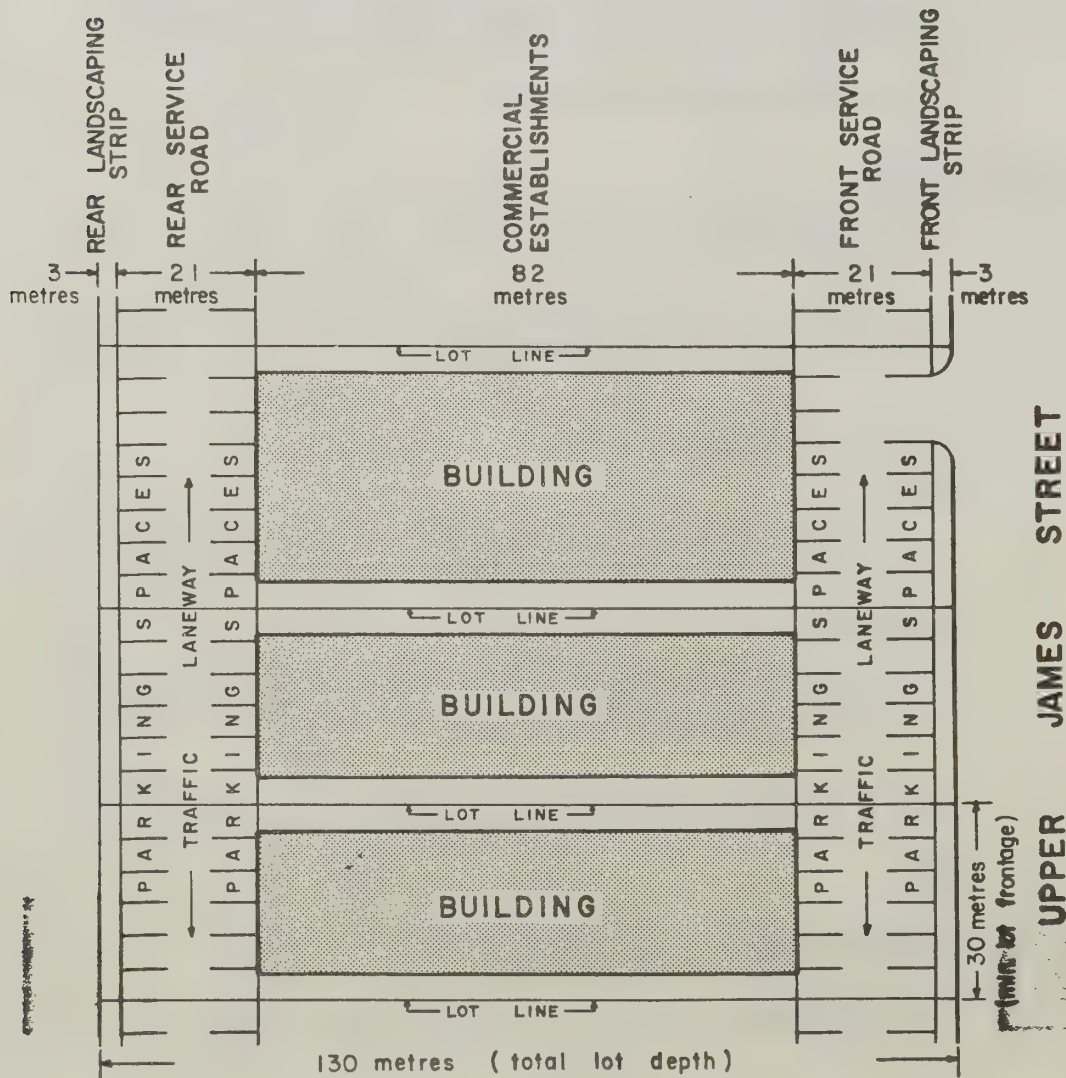
URBAN DESIGN GUIDELINES

FOR

UPPER JAMES STREET CORRIDOR

Example of Commercial Area Design for:

- 1) Commercial
- and 2) Commercial & Retail/Warehouse



- Front service road to rear of landscaping strip, 21 m (70 ft.) in depth, which will include:
 - two rows of parking spaces, on the east and west sides
 - a traffic laneway running north-south, between the parking spaces
- Fronts of commercial buildings located 24 m (80 ft.) from the front property line, with variable building depth.
- Rear service road 21 m (70 ft.) wide, in same design as front service road, with two rows of parking spaces and traffic laneway.
- Rear landscaping strip 3 m (10 ft.) in depth, along rear property line.
- Maximum building height of up to 8 stories would be permitted to prevent shading of adjacent properties, but actual building heights might be 1 to 2 stories.

Lot Size

- Frontage of at least 30 m (100 ft.) along Upper James Street.
- Lots with less than this minimum frontage will be considered in special cases.
- Depth of at least 100 m (325 ft.) in northerly section.
- Lot depth of 130 m (425 ft.) in southerly section.

Special Features

- Vehicular access to this area will be by means of a limited number of driveways.
- Front and rear service roads will be linked between adjacent properties.

3) Neighbourhood Commercial

Location

- Halfway between Stone Church Road and Rymal Road, on north and south sides of proposed mid-block collector road.

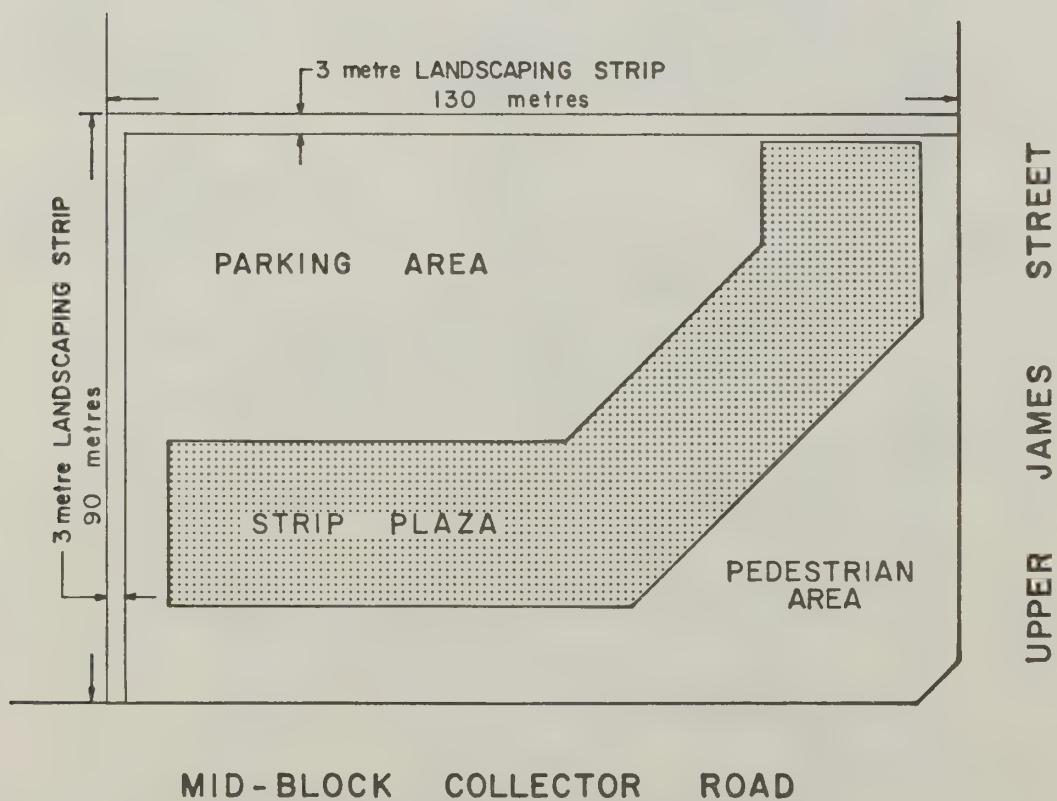
Permitted Uses

- Retail and service uses for the adjacent neighbourhood, such as convenience stores, personal services, professional offices.
- Non-highway commercial uses.

URBAN DESIGN GUIDELINES FOR UPPER JAMES STREET CORRIDOR

Example of Commercial Area Design for:

3) Neighbourhood Commercial



- Commercial and apartments mixed use may be considered.

Design

- Angular strip plazas, with frontage on both Upper James Street and the mid-block collector road.
- A triangular open area reserved for pedestrians on the front corners, approximately 310 sq. m (11,000 sq. ft.) in size on each corner.
- Parking area located to the rear of the plazas.
- Maximum building height of 3 to 4 stories, if residential apartments included on upper floors.

Area Size

- Entire area to be developed as a whole, to ensure appropriate design.
- Frontage of 90 m (300 ft.) on Upper James Street.
- Depth of 130 m (425 ft.) along collector road.

Special Features

- Small town atmosphere, appealing to local residents and pedestrian traffic.
- Street furniture to be provided in front open area, including benches, attractive lighting, as well as landscaping.

AMENDMENT NO. 28 TO THE
CITY OF HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedules "A" and "B" hereto, constitutes Amendment No. 28.

PURPOSE

The purpose of this Amendment is to:

- recognize Upper James Street (from the East-West and North-South Transportation Facility to the City limits) as a major highway-oriented commercial area;
- provide for a diversity of retail and service uses catering not only to the travelling public, but to the daily needs of the adjacent Neighbourhoods; and,
- provide the basis for more detailed planning through Neighbourhood Plans and design guidelines to ensure a co-ordinated approach to development, and minimize conflicts between the Commercial uses on Upper James Street and the Residential uses within the Neighbourhoods.

LOCATION

This Amendment applies to lands fronting on Upper James Street from the East-West and North-South Transportation Facility to the City limits, and fronting on Rymal Road in the vicinity of Upper James Street.

BASIS

Official Plan Amendment No. 22 effectively deletes the Staging policies of the Official Plan to provide for the immediate development of the southwest sector of the City, subject to the availability of municipal services. Accordingly, in conjunction with this Amendment, a detailed study was undertaken to identify the appropriate land use pattern and implementation scheme for the Upper James Street corridor. The study resulted in a land use concept which requires certain changes to the Official Plan prior to its realization.

ACTUAL CHANGES

- (1) Schedule "A" of the Official Plan (Land Use Concept), as amended, will be further amended as shown on the attached map being Schedule "A" to this Amendment.

- 2 -

- (2) The following be added to Schedule "B" - Special Policy Areas:
- o "Special Policy Area 31, 31a, 31b and 31c;" and,
 - o "Area 31, 31a, 31b and 31c, refer to Policy A.2.9.3.26" in the legend.
- (3) The following new policy be added to Subsection A.2.9.3 - Other Policy Areas;
- A.2.9.3.26 In keeping with the provisions of Subsection 2.2 - Commercial Uses, for those lands shown on Schedule "B" as SPECIAL POLICY AREA 31, (which includes 31a, 31b and 31c), and designated "Commercial" on Schedule "A" the following will apply:
- (i) The Upper James Street frontage is recognized as a highway-oriented Commercial area which will include a diversity of retail and service uses catering not only to the travelling public, but to the daily needs of the adjacent neighbourhoods;
 - ii) In keeping with Clause (i) above, three sub-areas are identified to provide the following uses within the Special Policy Area:
 - a) in Area "31a" mixed Commercial/Residential uses will be permitted from south of Chipman Avenue/Blossom Lane to Stone Church Road (excluding the car dealership). Such uses will be developed at a height, scale and intensity compatible with the nature of the commercial development along Upper James Street and the existing and anticipated Residential uses in the interior of the Neighbourhoods. The provisions regarding amenity, parking and other similar criteria for mixed Commercial/Residential uses, as provided in Policy A.2.2.36 will apply in the development of these uses.
 - b) in Area "31b", retail/warehouse uses will be permitted in keeping with Policies A.2.2.16 and A.2.2.18; and,
 - c) in Areas "31c", neighbourhood-based retail and service uses catering to the adjacent Residential areas will be permitted. However, in the case of the Area identified as "31c", located mid block between Stone Church Road and Rymal Road, in the vicinity of a mid-block collector (as may be determined through the Neighbourhood Plan), retail warehouse uses will also be permitted in addition to neighbourhood-based retail and service uses. Development of these Areas may take place east-west along the collector (as opposed to the Upper James Street frontage).

- iii) In accordance with Subsection D.2., the preparation of Neighbourhood Plans in this Area will consider the following:
 - a) the location of a mid-block Collector Road between Stone Church Road and Rymal Road;
 - b) the extent of Commercial, mixed Commercial/Residential uses, retail/warehouse uses and neighbourhood-based retail and service uses;
 - c) lot depth, lot frontages and building setbacks to effectively accommodate the appropriate on-site parking, circulation and ingress and egress;
 - d) the location of access points between adjacent uses and to the road;
 - e) utilizing shared access and/or parking facilities with adjacent developments; and,
 - f) utilizing service roads, cul-de-sacs or other appropriate means to reduce the number of individual access points.
- iv) Design guidelines will be prepared in conjunction with the Neighbourhood Plan to detail such matters as, but not limited to:
 - a) minimizing potential conflicts between the Commercial uses fronting on Upper James Street, and the Residential uses within the Neighbourhood, by establishing an appropriate buffer or transitional area which may include landscaping, berming and/or fencing;
 - b) providing guidelines to enhance the visual amenity of the Upper James Street frontage; and,
 - c) ensuring in Areas 31c compatibility with adjacent Residential uses, pedestrian access to and from the abutting Neighbourhoods and, continuous pedestrian linkage between commercial developments.
- v) To ensure a co-ordinated approach in the development of Special Policy Areas 31, 31a, 31b and 31c, and to enhance Upper James Street as a viable Commercial area, proponents of development or redevelopment will be encouraged to co-operate with adjacent property-owners regarding such matters as, access, parking, architectural quality and design, and landscaping.

vi) In accordance with Policy D.2.2, Multi-Centre uses will be permitted in the vicinity of Upper James Street and Stone Church Road. Accordingly, Multi-Centre uses such as, Institutional, recreational and medium density Residential uses will also be permitted in addition to Commercial uses.

- (4) Delete the Multi-Centre designation on Schedule "G" - Planning Units, in the vicinity of Stone Church Road and West 5th Avenue.

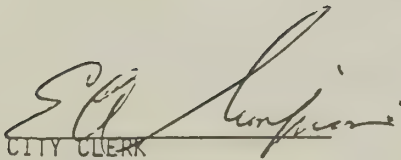
IMPLEMENTATION

The provisions of Section "D" - Implementation as amended will apply to the implementation of this Amendment.

Bill No. C-116

This is Schedule 1 to By-law No. 85 - 236, passed on the day of
October 29th A.D. 1985.

THE CORPORATION OF THE
CITY OF HAMILTON


CITY CLERK


MAYOR



DRAFT

- NORTH

DATE _____

FEB. 1985

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **FIFTEENTH** Report for 1987 and respectfully recommends:

- * 1. That APPROVAL be given to Zoning Application ZA-87-43 Sunoco Inc., owner, requesting a modification to the established "HH" (Restricted Community Shopping and Commercial, etc.) District regulations applicable to property located at the south-west corner of Rymal Road West and Upper James Street, as shown on the map marked as APPENDIX "A", on the following basis:
 - (a) That the "HH" (Restricted Community Shopping and Commercial, etc.) District regulations as contained in Section 14A of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances and special provisions:
 - (i) Notwithstanding Section 14A(1)(d) of Zoning By-law No. 6593, a gas bar and a high speed mechanical car wash shall be permitted;
 - (b) That Section 18 - Supplementary Requirements and Modifications of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances and special provisions:
 - (i) Notwithstanding Section 18(3)(ivc)(e) of Zoning By-law No. 6593 the pylon sign located at the north-west corner of the site shall be set back a minimum of 3.0m from the street line; and,
 - (ii) The pylon sign located at the north-east corner of the site shall be set back a minimum of 4.0m from the northerly side property line adjacent to Rymal Road West;
 - (iii) Notwithstanding Section 2.(2)J.(xxvi) - Miscellaneous Definitions and Section 18.(3)(vi), the following encroachments on yards be permitted:
 - five floodlight poles to be located within 1.0m of any property line;
 - two vacuum machines to be located within 3.0m of the northerly side lot line;
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1032, and that the subject lands on Zoning District Maps W-9D and W-9E be notated S-1032;

* Recorded Vote, see page 1435

- (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps W-9D and W-9E;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a modification to the established "HH" (Restricted Community Shopping and Commercial, etc.) District regulations applicable to the subject lands located at the south-west corner of Rymal Road West and Upper James Street as shown on the map, marked as APPENDIX "A".

The effect of the By-law is to permit a gas bar and a high speed mechanical car wash on the property.

In addition, the By-law provides for the following variances:

- (i) to permit a high speed mechanical car wash as an accessory use, notwithstanding that the "HH" (Restricted Community Shopping and Commercial, etc.) District only permits either a manual car wash or a mechanical car wash utilizing not more than one bay or stall accessory to an automobile service station or public garage - Section 14A(1)(d);
- (ii) to permit a pylon sign at the north-west corner of the site to be located within 3.0m of the northerly side property line, whereas a minimum set back of 6.0m is required - Section 18(3)(ivc)(e);
- (iii) to permit a pylon sign at the north-east corner of the site to be located within 4.0m of the northerly side property line, whereas a minimum set back of 6.0m is required - Section 18(3)(ivc)(e);
- (iv) to permit floodlight poles (5) to be located within 1.0m of any property line instead of 12.0m in the case of the front yard and 6.0 in the case of a side yard; Section 2.(2)J.(xxvi) and Section 18.(3)(vi); and,
- (v) to permit two vacuum machines to be located within 3.0m of the northerly side lot line instead of 6.0m in Section 2.(2)J.(xxvi) and Section 18.(3)(vi).

2. That **APPROVAL** be given to Zoning Applications ZA-87-46, Anne and John Norosel, owner, and ZA-87-70, Katherine and Richard Nash, owners, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for the rear portion of properties located at Nos. 2808, 2810 and 2812 King Street East, as shown on the attached map marked as **APPENDIX "B"** on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-106;
- (c) That the proposed change in zoning complies with the Official Plan for the Hamilton Planning area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for the rear of properties located at Nos. 2808, 2810 and 2812 King Street East.

The effect of the By-law is to rezone the rear portion of lands fronting onto Vienna Street from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District to provide uniform zoning of the three lots to permit single-family development.

3. That **APPROVAL** be given to Zoning Application ZA-87-47, L.A. Strictland, George Bauder, and Stone Church Developments, owners, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential One and Two-Family Dwellings, etc.) District, modified, for property located at No. 965 Stone Church Road East, as shown on the map marked as **APPENDIX "C"** on the following basis:

- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential, One and Two-Family Dwellings, etc.) District;
- (b) That the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variance as a special requirement:
 - (i) That Section 10.(1)(iii) of Zoning By-law No. 6593 shall not apply.

- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1033, and that the subject lands on Zoning District Map E-49C be notated S-1033;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49C;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in Zoning from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District for property located at No. 965 Stone Church Road East as shown on the map marked as **APPENDIX "C"**.

In addition, the By-law provides for a modification to the "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to prohibit townhouse dwellings.

The effect of the By-law is to provide the appropriate zoning to permit the construction of a semi-detached dwelling on the subject lands.

4. That **APPROVAL** be given to Zoning Application ZA-87-49, Leonard and Wilma Faille, owners for a modification to the established "C" (Urban Protected Residential, etc.) District regulations applicable to property located at No. 27 Rowntree Drive, as shown on the map marked as **APPENDIX "D"** on the following basis:

- (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
 - (i) Notwithstanding paragraphs (f) and (h) of Section 2(2)H.(iii), hairdressing shall be permitted as a home occupation on the following basis:
 - (1) it is carried on by not more than one hairdresser having a principal and permanent place of residence on the premises; and,
 - (2) there is not more than one comb-out centre and one styling sink.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1034, and that the subject land on the Zoning District Map E27B be notated S-1034;

- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E27B; and,
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a modification to the existing "C" (Urban Protected Residential, etc.) District provisions applicable to the property located at No. 27 Rowntree Drive, as shown on the map, marked as APPENDIX "D".

The effect of the By-law is to permit a hairdressing salon for one hairdresser who resides on the premises as their principal place of residence.

5. That **APPROVAL** be given to City Initiative 87-G, City of Hamilton, owner, for a further modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations to permit the extension of the temporary use of the lands for a public parking lot operated by the Hamilton Parking Authority applicable to the properties located at Nos. 80, 84 and 88 Century Street, as shown on the map marked as APPENDIX "E", on the following basis:

- (a) That the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions of Zoning By-law No. 6593 be modified in accordance with Section 38 of The Planning Act, R.S.O. 1983, to permit the temporary use of these lands for parking of motor vehicles for a three-year period.
- (b) That the amending By-law be added to Section 19(B) of Zoning By-law No. 6593 as Schedule S-735b and that the subject land on Zoning District Map E-13 be notated S-735b.
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-13.
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (e) That the Landsdale Neighbourhood Plan be modified accordingly by changing the date of the notation on the plan.

NOTE: The By-law will provide for a modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions applicable to property located at Nos. 80, 84 and 88 Century Street, as shown on the map marked as APPENDIX "E" to permit the temporary use of the lands for a public parking lot operated by the Hamilton Parking Authority for an additional three year period.

6. That **APPROVAL** be given to Zoning Application ZA-87-44 Todoc Construction Limited, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Blocks 1 & 2), "RT-10" (Townhouse) District (Blocks 3, 4 & 5) and "E-2" (Multiple Dwellings) District (Blocks 6 and 7), for property located at No. 956 Rymal Road East as shown on the plan marked as **APPENDIX "F"** on the following basis:

- (a) That the lands shown as Blocks 1 and 2 be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the lands shown as Blocks 3, 4 & 5 be rezoned from "AA" (Agricultural District) to "RT-10" (Townhouse) District;
- (c) That the lands shown as Blocks 6 and 7 be rezoned from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49E;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (f) That the approved Broughton East Neighbourhood Plan be amended by changing (see subdivision plan **APPENDIX "B"** attached):
 - (i) Blocks 157 and 158 from "Attached Housing" to "Medium Density Apartments"
 - (ii) Block 160 and Parts of Blocks 156 and 159 from "Single and Double" residential to "Attached Housing"
 - (iii) By introducing a 3.0m Public Walkway between lots 17 and 18 and lots 32 and 33 connecting Street "C" and Street "D"
 - (iv) By amending the proposed road patterns to conform to the road pattern approved in conjunction with the draft approved plan of subdivision.

NOTE: The purpose of the By-law is to provide for the following changes in zoning for property located at No. 956 Rymal Road East, as shown on the Plan marked as **APPENDIX "F"** on the following basis:

Blocks 1 & 2 - change from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

Blocks 3, 4 & 5 - change from "AA" (Agricultural) District to "RT-10" (Townhouse) District;

07/28/87

Blocks 6 & 7 - change from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District.

The effect of the By-law is to permit development of the subject lands through a draft plan of subdivision for single-family dwellings, townhouse dwellings and apartments.

7. That **APPROVAL** be given to Zoning Application 87-52, Ki Hing Li, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District, to legalize the existing parking lot, which is to be used in conjunction with a restaurant fronting on Upper James Street, for the property located at No. 9 Brantdale Avenue, as shown on the map marked as **APPENDIX "G"** on the following basis:

- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-7;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (d) That the amending By-law not be passed by City Council until a site plan has been approved by the Planning and Development Committee.

NOTE: The purpose of this By-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District for the property located at No. 9 Brantdale Avenue.

The effect of this By-law is to legalize the existing parking lot which is to be used in conjunction with a restaurant fronting on Upper James Street.

8. That **APPROVAL** be given to Zoning Application 87-68, York and Bay Centre, Inc. owner requesting a further modification to the "CR-3" (Commercial-Residential) District to permit additional commercial uses (i.e. broadcasting station) within the commercial building currently under construction, for the property located at No. 151 York Boulevard, as shown on the map marked as **APPENDIX "H"**, on the following basis:

- (a) That the "CR-3" (Commercial-Residential) District provisions as contained in Section 15B of Zoning By-law No. 6593, applicable to the subject lands, as amended by By-laws Nos. 81-330 and 82-82, be further amended on the following basis:
 - (i) Notwithstanding Section 15B(3), the following additional commercial uses shall be permitted:
 - 1. retail stores
 - 2. broadcasting station
 - 3. bank
 - 4. dry cleaner pickup
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-777b, and that the subject lands on Zoning District Map W-4 be notated S-777b;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-4;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this proposed By-law is to provide for a further modification to the "CR-3" (Commercial-Residential) District for the property located at No. 151 York Boulevard as shown on the map marked as **APPENDIX "H"**.

The effect of the By-law is to permit the following additional commercial uses within the commercial building currently under construction.

- (a) retail stores
 - (b) broadcasting station
 - (c) bank
 - (d) dry cleaner pickup
9. That **APPROVAL** be given to a request by Mr. N. Zaffiro, Solicitor for the owner of 356 Clifton Downs Road, to permit a distance of 22.198m (72.83 ft.) instead of 22.860m (75 ft.) from the Mountain Freeway lands, as required by the "Residential Development Standards to Control the Effects of Freeway Noise", as adopted by City Council on 1973 October 9 and as amended on 1976 June 29, 1977 September 27 and 1978 April 11.

NOTE: The relief requested is to permit the constructed dwelling to remain in its present location at 22.198m (72.83 ft.) instead of 22.860m (75 ft.) from the proposed Mountain Freeway.

10. That the Region be requested to grant a one year extension to the draft approval for Templemead No. 3 Subdivision (Regional File No. 25T-77005).
11. That **APPROVAL** be given to application SA-87-08 "The Garrison Project", 603792 Ontario Inc., owner, to establish a Draft Plan of Condominium located on the south side of Robinson Street and east of Park Street, subject to the following condition:
 - (a) That this approval apply to the plan prepared by Lawrence G. Woods, Ontario Land Surveyors, dated 1987 March 4.
12. That **APPROVAL** be given to application SA-87-03 "Highland Mews Inc., owner, to establish a Draft Plan of Condominium located on the south side of Main Street West and west of White Chapel Cemetery, subject to the following condition:
 - (a) That this approval apply to the plan prepared by Ashenhurst Nouwens Limited, Professional Engineers and Ontario Land Surveyors, dated 1987 January 16 and revised on 1987 April 8.
13. (a) That staff be authorized and directed to make application to the Ministry of Housing for a grant of \$25 000, to assist with the completion of a Municipal Housing Statement Update.
 - (b) That Regional Council be requested to endorse the City's Terms of Reference for the Municipal Housing Statement Update as attached hereto and marked **APPENDIX "I"**.

NOTE: The Planning and Development Committee, at their meeting held 1987 July 15th approved the preparation of the Municipal Housing Statement Update.
14. That the City Clerk be authorized and directed to inform the Township of Glanbrook that the City of Hamilton does not object to the proposed zoning by-law amendment on the west side of Highway No. 6, 230 metres south of the boundary between Hamilton and Glanbrook.
15. That Hamilton City Council petition the Provincial Government for an amendment to Section 2.1.2 of The Ontario Building Code Regulations, to include all retaining walls over 1 metre in height.

16. That the policy established in Item 20 of the 17-84 report of the Transport and Environment Committee be rescinded and the following substituted:

- (a) The City of Hamilton control retaining walls over 1m in height in residential subdivisions during construction of the houses in a plan of subdivision.
- (b) The Building Department shall be responsible for the approval of the walls.
- (c) The walls exceeding 1m in height and not subject to the Building Code shall be designed in accordance with the Ontario Building Code.
- (d) The City Solicitor be directed to make the necessary changes to the subdivision agreement.

NOTE: The effect is that all walls over 1m in height will be controlled for initial construction by the Building Department as opposed to the Department of Engineering and the walls will be designed in accordance with the requirements of the Ontario Building Code.

17. That the Building Commissioner be authorized to issue demolition permits for the demolition of the following residential buildings:

- (a) 228 Wood Street East
- (b) 205 Eleanor Avenue
- (c) 14 Salem Avenue
- (d) 413 Sherman Avenue North

18. (a) That **NO ACTION** be taken on a demolition permit application for a residential building at 74 Charlton Avenue East.

NOTE: The Niagara Escarpment Commission has denied demolition permit application for this building.

- (b) That the Mayor write to the Minister of Municipal Affairs and request a review of the decision made by the Niagara Escarpment Commission with respect to the demolition permit application for 74 Charlton Avenue East.

19. That a Commercial Facade Loan in the amount of \$10 000 be approved for Mr. John Williams, owner of Dairy Queen at 473 Concession Street.

20. (a) That the following four (4) Ontario Home Renewal Programme applications, and four (4) Hamilton Rehabilitation Programme applications be approved; and
- (b) That the Director of Community Development be authorized to process grants/loans in the amount not to exceed \$7 500 for these applications.

(i) Ontario Home Renewal Programme

1. B. Nielson
28 Harmony Avenue
2. C. McCarthy
526 East 27th Street
3. C. Hannah
252 East 19th Street
4. E. Bunting
378 East 18th Street

(ii) Hamilton Rehabilitation Programme

1. E. Charlton
1145 Mohawk Road East
2. A. Wallace
324 East 17th Street
3. P. DiGiovanni
51 Graham Avenue North
4. N. Watson
745 Cannon Street East

NOTE: The actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme and pursuant to By-law 78-11B for the Hamilton Rehabilitation Programme.

21. (a) That the Department of Community Development be authorized and directed to apply to the Minister of Citizenship and Culture for approval to participate in the Provincial Government's new Designated Property Grant Programme.
- (b) That subject to the Minister's approval, the Mayor and City Clerk be authorized to execute the Operating Agreement in order for the Department of Community Development to implement the new Designated Grant Programme offered by the Ministry of Citizenship and Culture.
22. (a) That the following implementations for 1987, based on the Business Improvement Area Commercial Improvement Programme submissions, be approved at an estimated gross cost of \$400 000:

1987 Implementation Costs

<u>Business Improvement Area (B.I.A.)</u>	<u>Implementation</u>	<u>Cost</u>
Concession Street	- 6 new poles with banners	\$ 9 000
	- 1 drinking fountain	3 500
	- sidewalk repairs & brick pavers (Upper Wentworth)	19 000
	- Concession St., Poplar to Viewpoint	11 500
	- Concession St., E. 18th to E. 19th	9 000
	- 6 wrought iron benches	3 600
Westdale Village 000	- boulevard, sidewalk improvements (Sterling St., North Oval to King St.)	\$ 10
	- island improvements	36 000
	- banners (14)	2 800
	- hanging flower baskets	6 750
	- shelters (4)	60 000
	- benches (4), paint old ones	1 500
Ottawa Street	- trees and buffering to the entrance, exits - parking lots	\$110 000

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International Village	- 6 wrought iron benches	\$ 3 600
	- 40 hanging flower baskets	20 000
		<hr/>
		\$306 250
	Contingency 20%	61 250
		<hr/>
		\$367 500
	Administration 10%	30 625
		<hr/>
	TOTAL	\$398 125

- (b) That the Director of Community Development be authorized to implement the above-noted recommendations.
23. (a) That, Item 16 of the 13th Report of the Planning and Development Committee, adopted by City Council on 1987 June 23 be rescinded; and
- (b) That, By-law No. 86-212 appointing the International Village Business Improvement Area Board of Management be amended to delete the following names:
- Mary Bowden, Vice-Chairman
Ruth Rehak, Secretary-Treasurer
Dino Tedesco
Maria Petrou
Austin Murray
Solly Adler
- And, add the following names:
- Michelle Galante, Vice-Chairman, Modern Furs, 165 King Street East; Julie O'Brienn, Secretary, Bizarre Bazaar, 167 1/2 King Street East; Frank Lauinger, Treasurer, The Audio Store, 201 King Street East; Bill Elliot, Director, Money Mart, 241 King Street East.
- (c) That, the City Solicitor be authorized and directed to amend By-law No. 86-212 pursuant to (b) above.
24. That the City Solicitor be authorized to prepare a Quit Claim Deed from the City of Hamilton to B.N.W. Holdings Limited, the present owners of 1245 Rymal Road East, Hamilton to release the property from the construction covenants to the City as contained in deed number 93467 LT.

NOTE: In adopting Item 18 of the Fifth Report of the Board of Control, City Council on 1979 January 9 approved the sale of Lots 2, 3 and 4, Plan M-227 to B.N.W. Holdings Limited.

On 1980 February 15 this sale was completed (93467 LT).

Contained in the aforementioned deed are construction covenants which state that B.N.W. Holdings Limited must commence construction of a 37 000 square foot building by no later than 1980 August 15 and complete said building by no later than 1981 August 15. Construction was started 1980 June 9 and completed 1980 November 10, and the completed building contains 31 428 square feet.

All covenants as noted as above have been fulfilled.

25. That the City Solicitor be authorized to take immediate action to repurchase Lot 12, Plan M-227, Hamilton Industrial Park No. 1 on Mebo Road.

NOTE: On 1979 November 5, the City of Hamilton conveyed Lot 12, Plan M-227, to D.B. Savage Industrial Sales Limited. Contained in the deed was a covenant that this firm must commence the construction of a 10 000 square foot building by 1980 May 5.

For various reasons over the next several years, Savage Industrial Sales Limited was granted extensions of the construction dates by City Council. There were four extensions in total and on 1986 May 27, City Council granted one final extension with the understanding that the City would take legal action to repurchase the lot.

The original purchase agreement calls for the City to repurchase the 1.103 acre site for the original purchase price (\$41 921.60) less the amount of any encumbrance, charges or liens whatsoever affecting the said lands, and less the amount of any unpaid taxes or charges respecting the said lands.

The City has made every effort to assist D.B. Savage Industrial Sales Limited in providing extra time to commence their proposed building and it is felt that the City must proceed at this time to repurchase the lot.

- * 26. (a) That a Quit Claim Deed be prepared by the City Solicitor releasing all of the City's interest on the land at the rear of 100 Frid Street shown as Part 4 on Reference Plan 62R-8749.
- (b) That the Mayor and City Clerk be authorized to execute the said Quit Claim Deed.

* Recorded Vote, see page 1435

NOTE: The original deed to Frid Construction Company Limited in 1948 indicated that the westerly limits of its land was the top of the Chedoke Ravine Brow as it existed in 1948.

By deed registered on 1922 August 5, the abutting owner, the City of Hamilton received a grant of certain lands, the easterly limit of which was also the top of the Chedoke Ravine Brow as it existed in 1922.

Over the years the brow has moved westerly through accretion and the Frid Construction Company Limited has used and occupied the land on top to the edge of the brow as it existed from time to time continuously since they received conveyance in 1948.

27. That the Real Estate Department be authorized to purchase property in the Alpha Enclave (West) - Plan I and that the following process for acquisition be followed:

- (a) that the Real Estate Department negotiate for a six-month period;
- (b) that if properties are not acquired during this time, the expropriation procedures be commenced following a further report to Council; and,
- (c) that the Real Estate Department refer any persons affected by acquisition, who might benefit from social services programmes, to the Regional Social Services Department.

NOTE: Three million dollars is included in the City's budget for expenditure on acquisition of properties in the Alpha, Biggar, Leeds and Stapleton enclaves. A survey was done to see which owners wish to sell. This information combined with other factors has been used to determine that 1.5 million dollars should be used to acquire Alpha Enclave (West) during 1987 and 1988.

28. That leave be granted to introduce the following bills:

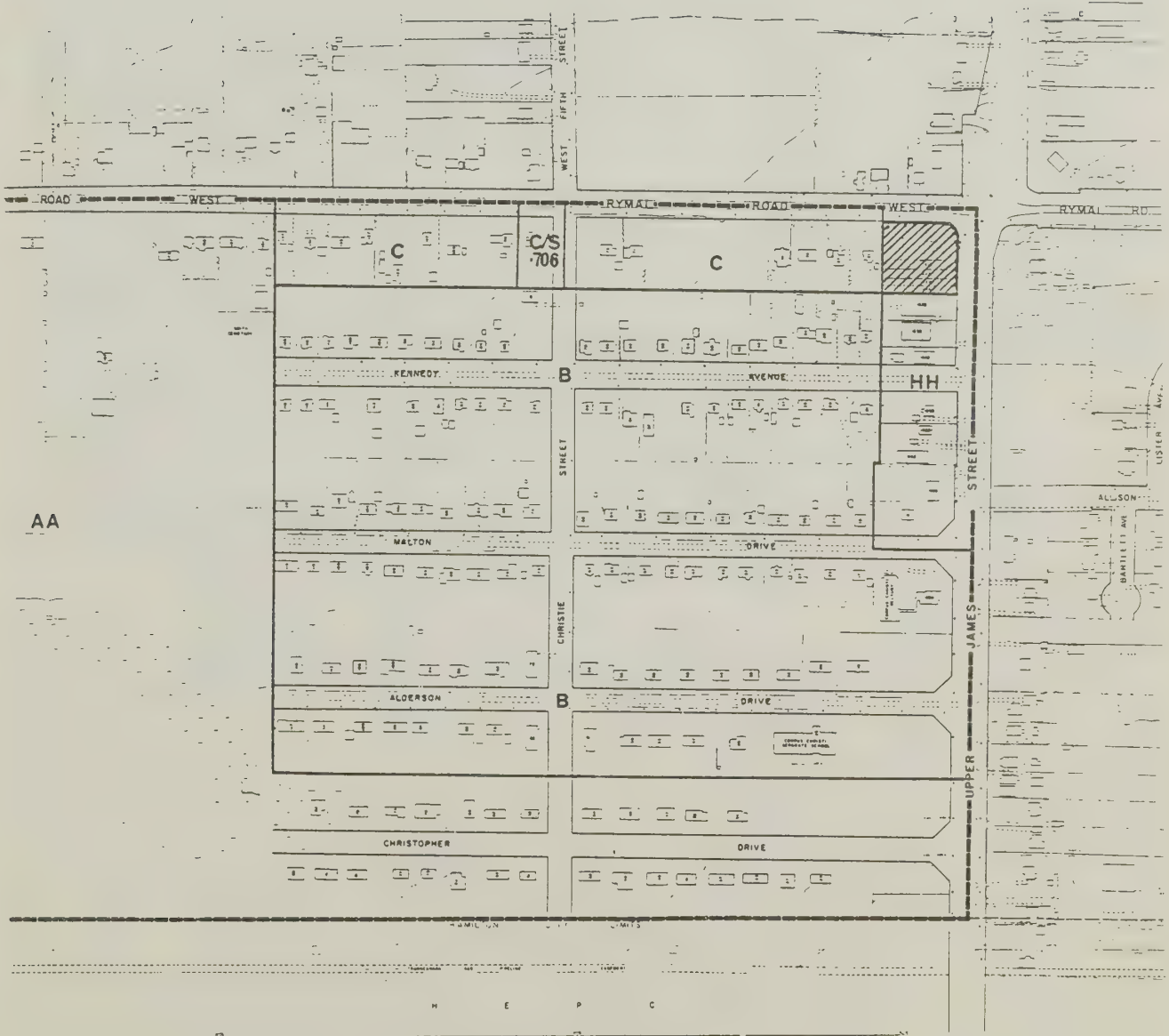
- (a) **Bill No. D-94** A by-law to amend Zoning By-law No. 6593 respecting Land Located at Municipal No. 678 Upper James Street.
- (b) **Bill No. D-95** A by-law to establish Site Plan Control respecting Land Located at Municipal No. 678 Upper James Street.
- (c) **Bill No. D-96** A by-law respecting Site Plan Control Areas.

- (d) Bill No. D-97 A by-law to amend Zoning By-law No. 6593
respecting Land Located at the Rear of No. 191
Centennial Parkway North.
- (e) Bill No. D-98 A by-law to amend Zoning By-law No. 6593
respecting Land Located at Municipal No. 2425
Barton Street East
- (f) Bill No. D-99 A by-law to amend Zoning By-law No. 6593
respecting Land Located on the East Side of Kenora
Avenue and South of Barton Street East
- (g) Bill No. D-100 A by-law to amend Zoning By-law No. 6593
respecting Land Located at the Rear part of
Municipal No. 617 Limeridge Road East
- (h) Bill No. D-101 A by-law to amend Zoning By-law No. 6593
respecting Lands Located at Municipal Nos. 185-191
Hess Street North.
- (i) Bill No. D-102 A by-law to amend By-law No.86-212 Respecting The
International Village Business Improvement Area
Generally Covering Both Sides of King Street East
Between Mary Street and Wellington Street.
- (j) Bill No. D-103 A by-law to amend Zoning By-law No. 6593
Respecting Land Located at Municipal No. 151 York
Boulevard.
- (k) Bill No. D-104 A by-law to amend Zoning By-law No. 6593
Respecting Lands Located at the North-West Corner
of Stone Church Road East and Rochelle Avenue.

Respectfully submitted,

ALDERMAN D. ROSS, ACTING CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder
Acting Secretary
1987 July 15th

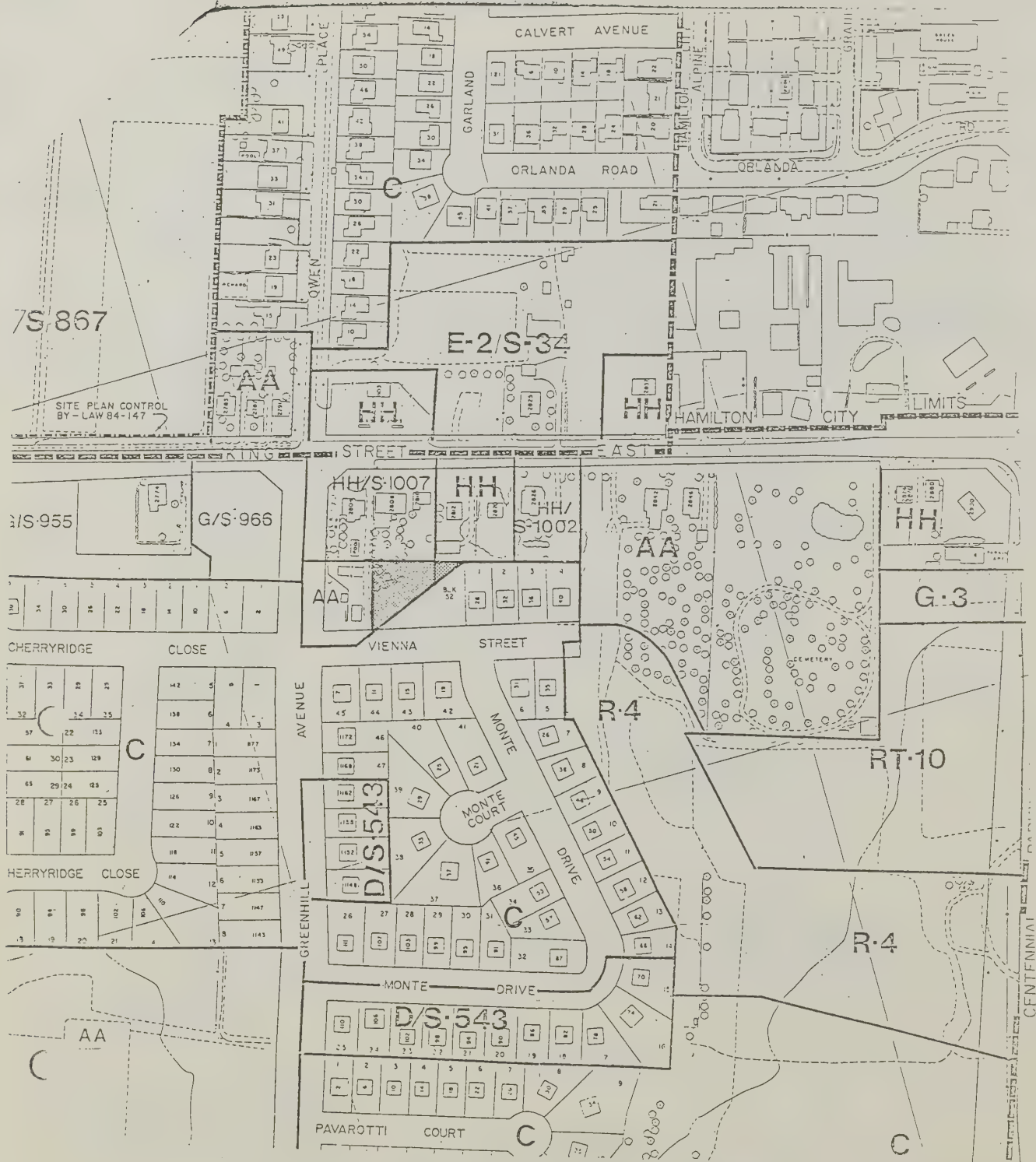


LEGEND.



SITE OF THE APPLICATION.

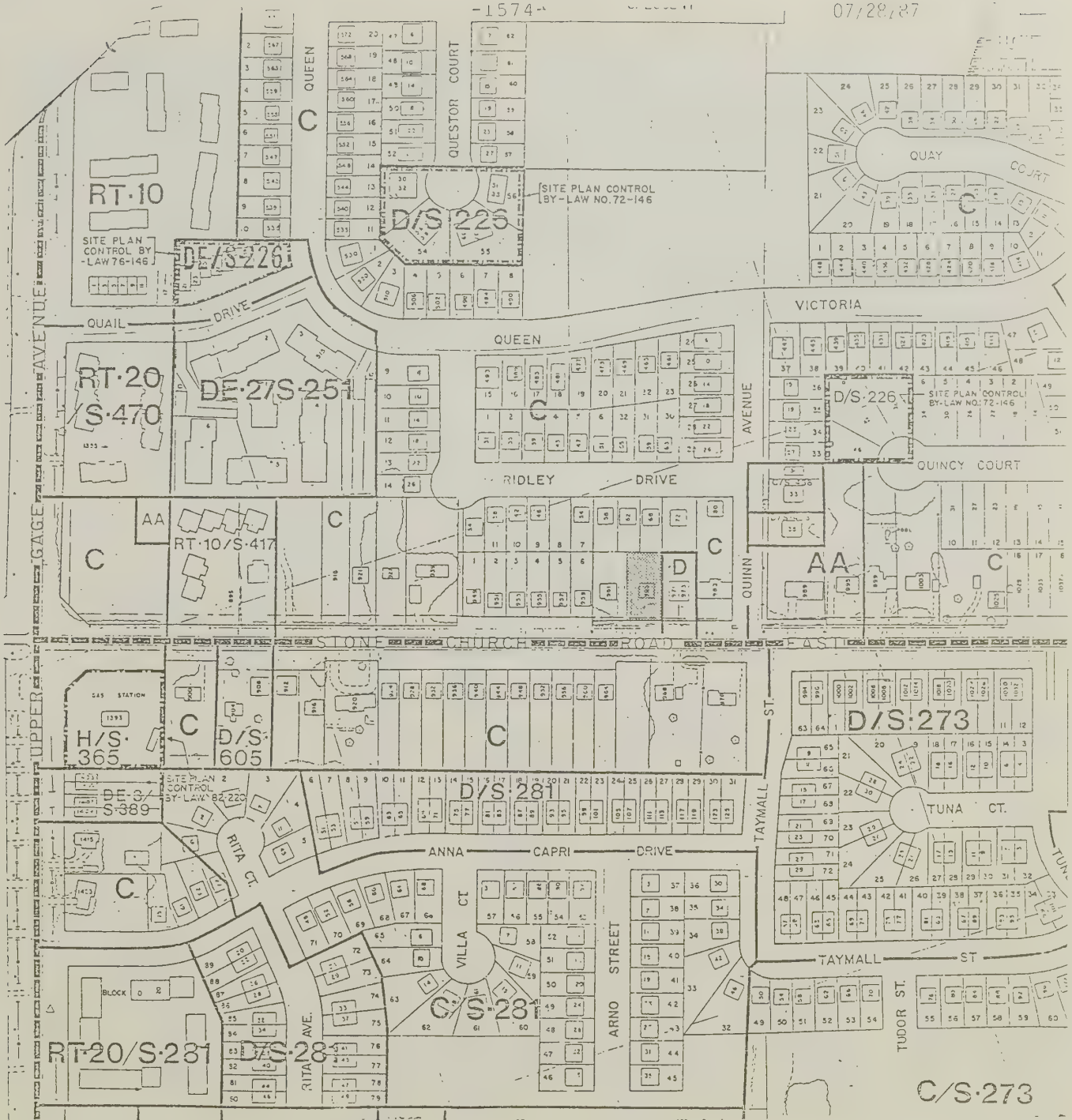
APPENDIX "A" as referred to in Section 1 of the 15th Report of the Planning & Development Committee



LEGEND


 • SITE OF THE APPLICATIONS

APPENDIX "B" as referred
 to in Section 2 of the
 15th Report of the
 Planning & Development
 Committee



LEGEND



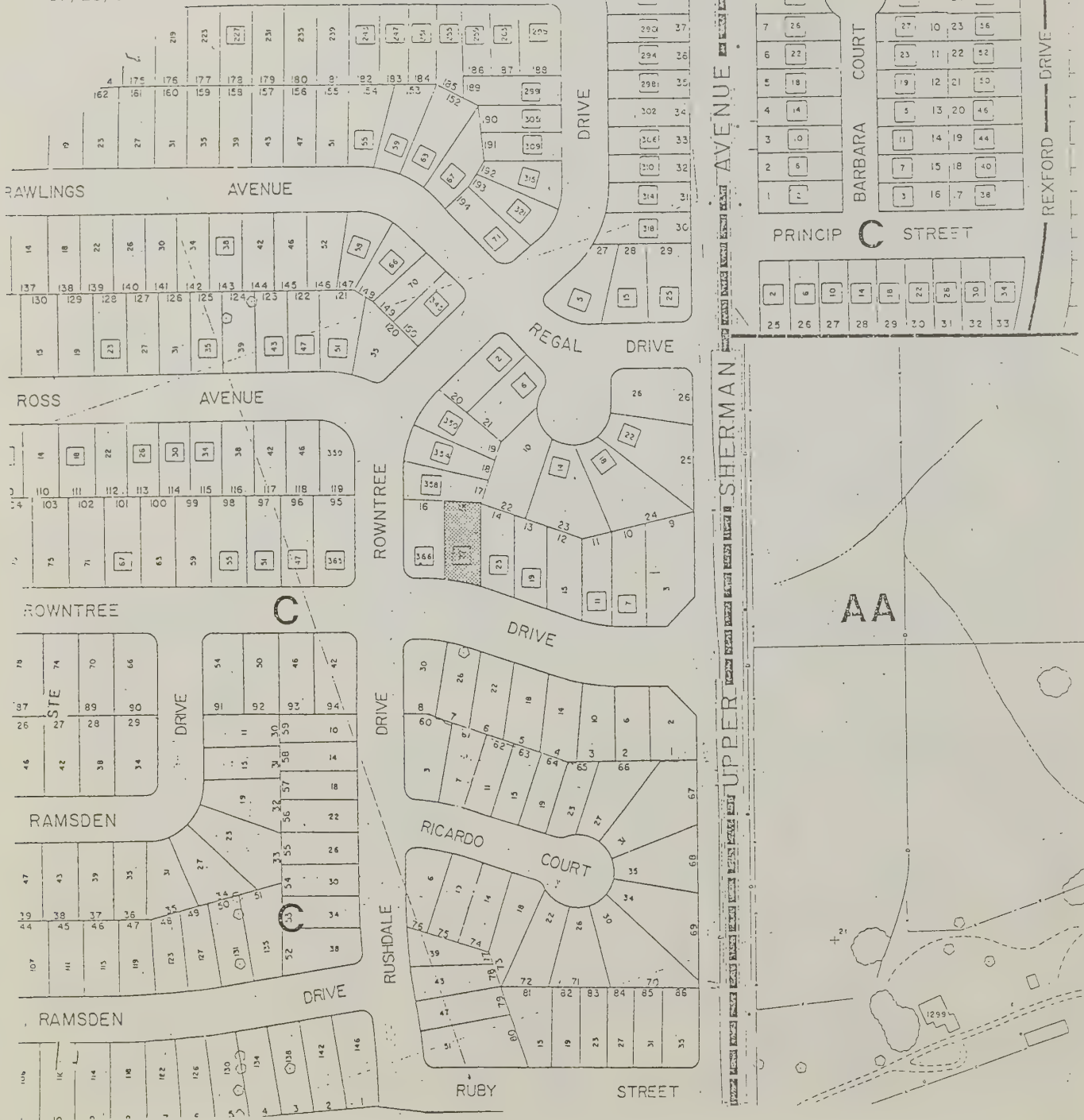
SITE OF THE APPLICATION



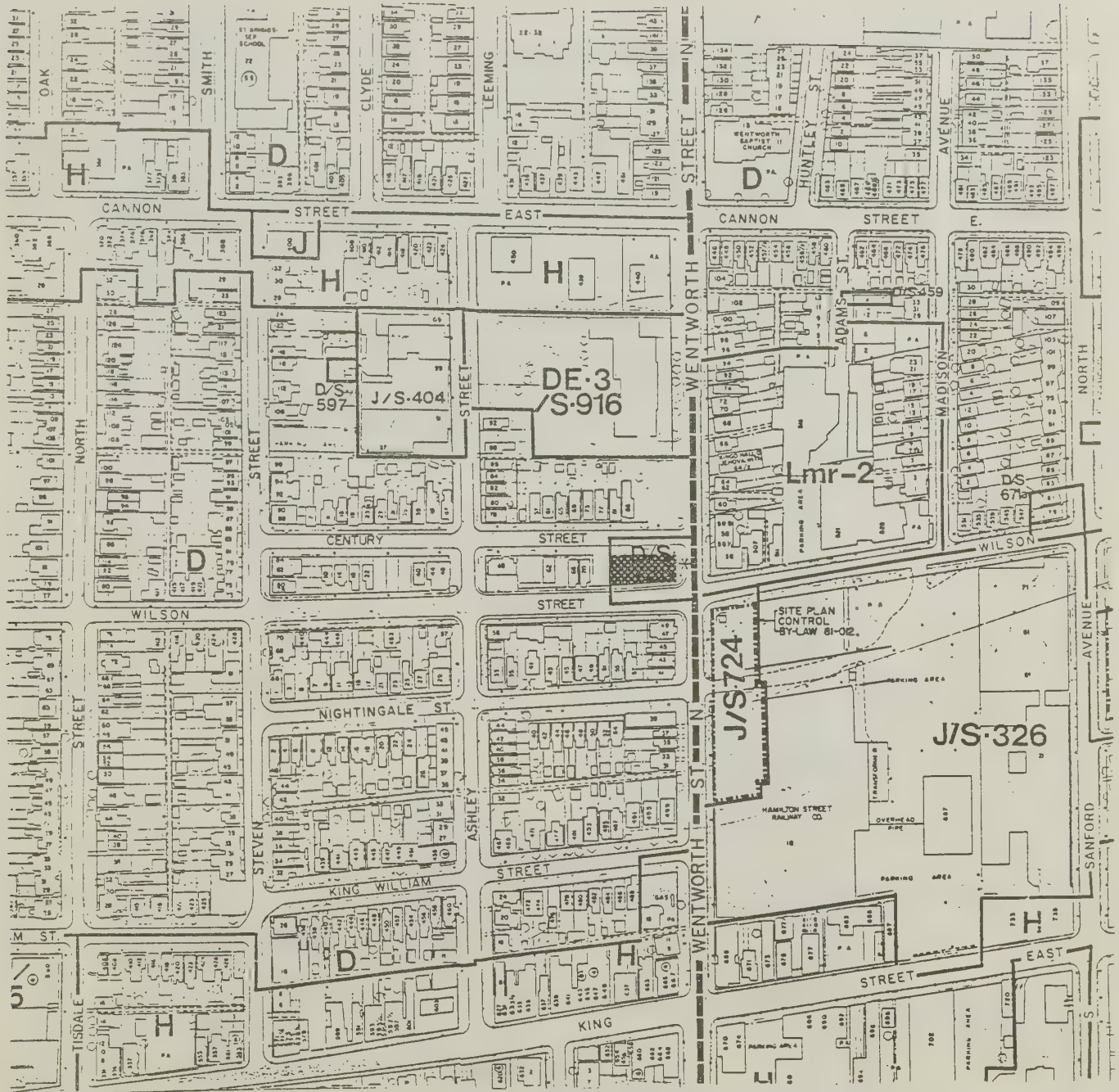
APPENDIX "C" referred to in Section 3 of the 15th Report of the Planning & Development Committee

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APPENDIX "D" as referred to in Section 4 of the 15th Report of the Planning & Development Committee



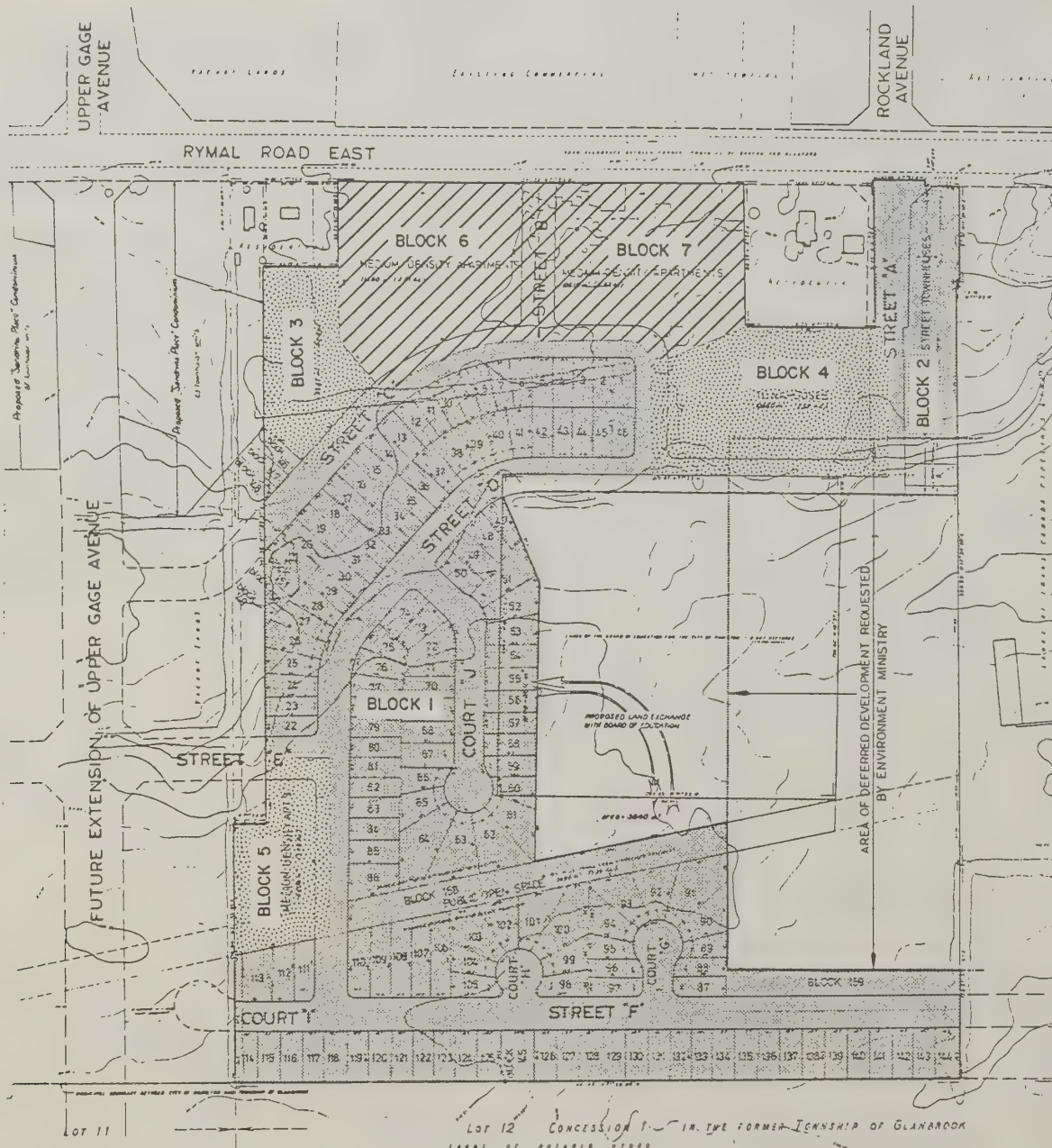
LEGEND



SITE OF THE APPLICATION



APPENDIX "E" as referred to in Section 5 of the 15th Report of the Planning & Development Committee



LEGEND

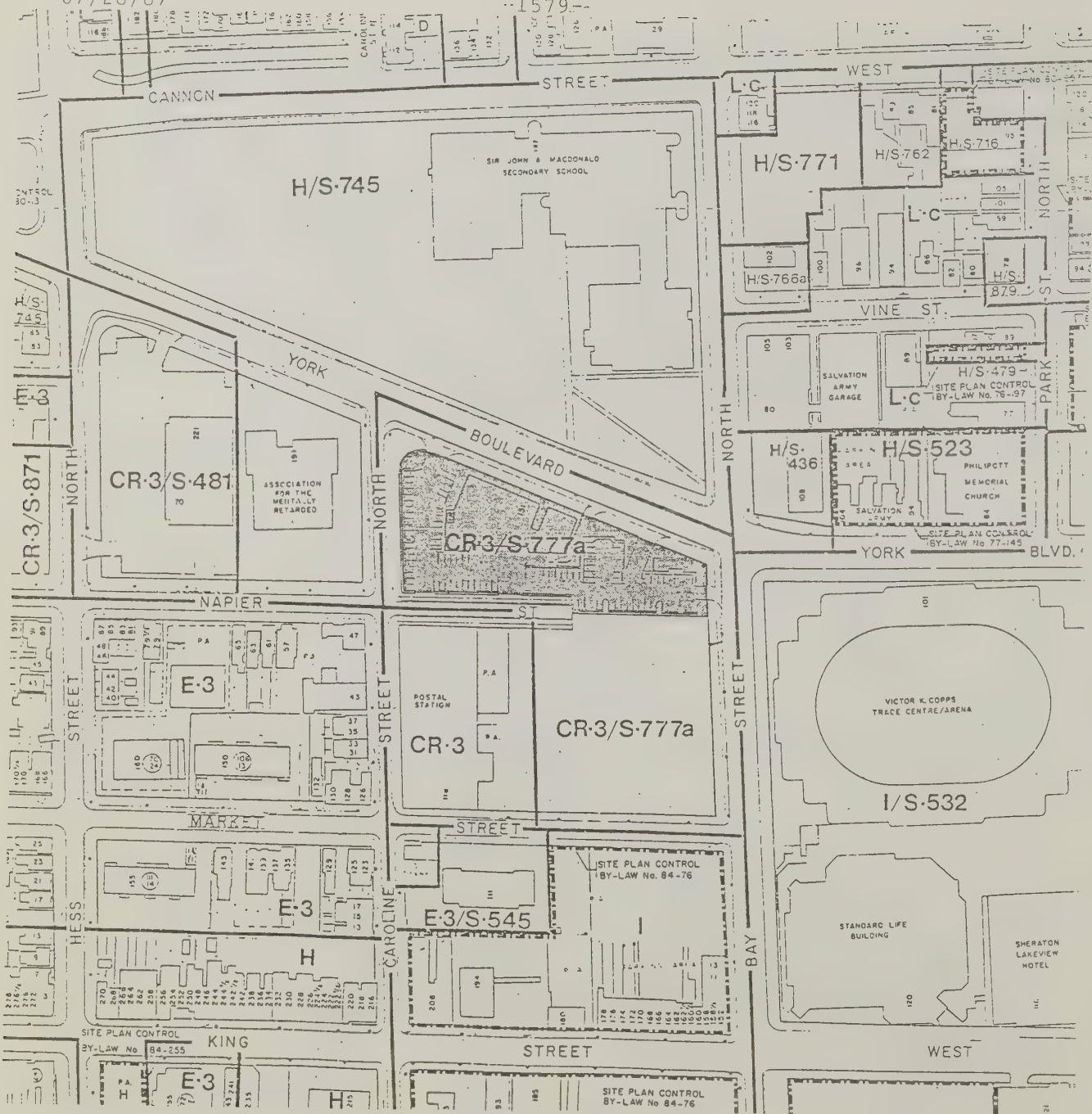
CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO:

BLOCKS 1 & 2		"C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.
BLOCKS 3, 4 & 5		"RT-10" (TOWNHOUSE) DISTRICT.
BLOCKS 6 & 7		"E-2" (MULTIPLE DWELLINGS) DISTRICT.

APPENDIX "F" as referred to in Section 6 of the 15th Report of the Planning & Development Committee

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LEGEND



SITE OF APPLICATION

APPENDIX "H" as referred to in Section 8 of the 15th Report of the Planning & Development Committee

MUNICIPAL HOUSING STATEMENT UPDATE

TERMS OF REFERENCE

Introduction

The Municipal Housing Statement Update will provide current information on the housing market, such as supply and demand, and will enable refinement of the housing policy strategy.

The purpose of this Terms of Reference is to:

- provide background on past and current housing monitoring and policy;
- define the objectives of the study;
- describe the study methodology; and,
- outline the study cost, timing and staffing requirements.

Background

The housing market in the City of Hamilton has been reviewed by previous monitoring reports and studies.

The 1976 Municipal Housing Statement was prepared to provide comprehensive housing policies, and a strategy for housing production, for the City of Hamilton. The Housing Statement was based on a report prepared in 1976 by Peter Barnard Associates, entitled Hamilton Housing Needs. Annual targets for the production of housing units were established, based on the growth trends available at the time.

Annual Housing Monitoring reports were prepared following the 1976 Housing Statement, up until the year 1984. These provided information on housing trends, and compared housing production against the 1976 targets. Several other studies were undertaken during this time to address specific components of the housing market, such as assisted housing.

In 1982 a Municipal Housing Statement Update was undertaken, to reassess the housing market, evaluate the relevance of the targets established in 1976 and recommend appropriate actions. The Update provided information on population trends, housing characteristics, building activity, serviced lands and housing supply and demand by type of unit. As a result of the trends identified, the annual targets for housing completions and housing reserve were revised, and targets for non-profit housing were established, as well as other policies. The revised annual targets for 1983 to 1986 were 1,700 total units, which included 825 single detached, 73 semi-detached, 170 row housing and 632 apartments.

APPENDIX "I" as referred to in Section 13 of the 15th Report of the Planning & Development Committee

Housing Data Requirements

Since the time of the 1982 Housing Statement Update and the latest annual monitoring report produced in 1984, the housing market has undergone further changes. There have been major increases in housing prices in recent years, considerable increases in housing supply and decreases in mortgage rates. Rental units remain to be in relatively scarce supply, as indicated by the low rental vacancy rates. The lack of annual monitoring information; the introduction of new legislation related to rental housing protection; and the need to define the demand for assisted housing units provide additional justification for a comprehensive review of the housing market.

The Municipal Non-Profit Housing Corporation requires updated housing targets, since the latest targets were prepared in 1982, for a three year period. Information on the supply of affordable rental housing is also required to assess proposed renovations or conversions of rental units, under the new Rental Housing Protection Act.

Objectives

The Housing Statement Update is intended to provide a comprehensive, current assessment of the housing market in the City. It will address all relevant aspects of housing supply and demand, as well as including a review of existing housing policies and targets. The assisted housing component of the market will form the most important part of the analysis, as dictated by the current housing situation.

The study will provide information to help meet the following objectives:

- provide information on the supply and demand for non-profit housing, especially for families, which is required by both municipal and private non-profit housing groups, in order to help substantiate the need for assisted housing, and obtain Ministry approval for housing allocations;
- assess current housing supply and demand characteristics in view of recent changes such as increases in house prices and housing supply, and continued shortages of rental units. This trend information is required particularly because annual housing monitoring reports are no longer prepared by the Planning Department;
- allow for a review of existing housing policies;
- evaluate the validity of annual housing production targets established in the 1982 Housing Statement Update;
- examine the current supply of land, and approvals for residential lots; and,

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- provide information on the supply and price of rental units in the City, by neighbourhoods or planning divisions, to assist in the evaluation of applications for the renovation or conversion of units under the Rental Housing Protection Act.

Study Approach

The Municipal Housing Statement Update will involve the collection and analysis of data from various sources and development of recommended policies and actions to address housing deficiencies identified.

Information which is available from existing sources will be used as much as possible. This will include statistics from the Regional Assessment Office, the City Building Department and CMHC.

The Assisted Housing Survey will be the only major component of the Study which requires extensive collection of new information. This will be done by means of a mail-out questionnaire to survey relevant households.

The study approach has been defined in terms of the following six major phases:

- Phase I - Study Design and Negotiations;
- Phase II - Data Collection;
- Phase III - Data Review and Analysis;
- Phase IV - Identification of Issues and Solutions;
- Phase V - Development of Housing Policy and Targets; and,
- Phase VI - Implementation Strategy.

The details of the tasks to be completed within each of these phases are outlined in the following sections. The study will also include consultation with affected agencies and authorities, especially the Ministry of Housing, who are providing partial funding for the study. The Ministry guidelines concerning study context and format have been considered in developing the detailed study design which follows.

Phase I - Study Design and Negotiation

This phase will include preliminary work, such as the preparation of terms of reference for the study. Resolutions approving the study must be obtained from City Council and Regional Council prior to the submission of the application for funding to the Minister of Housing. Negotiations with Ministry staff concerning the study design and funding approval are also included in this phase.

Phase II - Data Collection

Information will be collected on a wide range of housing supply and demand characteristics, as well as related demographic and economic indicators. The information to be compiled will include the following:

- population trends and projections by age groups, for past five years and next five years, including a review of migration rates and fertility rates;
- household characteristics, including past trends and future projections of households by size;
- economic characteristics such as employment, major employers, labour force, unemployment, commuting patterns, income levels, and housing market implications of the Regional Economic Strategy;
- social characteristics such as housing preferences related to household type and size;
- supply of existing housing units by type and tenure; also trends in rental vacancy rates, including housing for singles;
- cost of housing units, land, housing construction and carrying costs;
- residential building starts, completions and demolitions by unit type;
- residential lot supply within registered and draft plans of subdivision, by unit type, including location, timing and price of units;
- availability of undeveloped residential land, by designated land use and servicing, within short, medium and long range time frame;
- condition, quality and age of housing stock; trends in demolition, rehabilitation and conversion;
- assisted housing supply by unit type, assistance programs and groups involved in provision;
- survey of assisted housing needs for families, including administration of questionnaire and waiting list analysis;
- review of trends in housing market, such as downtown rental and condominium construction and townhouse designations; and,
- inventory the supply and demand for housing accessible to the handicapped.

Following the completion of the data collection steps in Phase II, the first 25% of the study grant will be available from the Ministry of Housing.

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Phase III - Data Review and Analysis

This phase will involve the review and analysis of data collected in Phase II, including the following:

- review and summarize existing trends in housing supply and demand, and demographics;
- identify the relationships between housing demand and housing supply;
- analyze housing starts and completions;
- review and forecast housing supply based on relevant factors, such as inventories of existing and committed units and lots, land supply, availability and timing of services;
- review and forecast housing demand based on relevant factors, such as household projections, housing preferences such as locations and vacancy rates;
- review and analyze results of assisted housing questionnaire, including identification of demand for assisted units and areas of the City where greatest demand exists;
- review and analyze waiting lists for assisted housing and economic indicators of need;
- review provision of units by municipal and private non-profit housing groups;
- estimate existing and potential surplus or shortfall of assisted housing units; and,
- evaluate the capacity of existing social housing to meet potential demand.

Phase IV - Identification of Issues and Solutions

This phase will involve identification of current issues and their origins, and will also include the following:

- identify the major findings of the housing monitoring process;
- assess the underlying causes of housing problems;
- define the need for additional private and assisted housing;
- develop alternative solutions to problems, such as revision of housing policies, or development of new policies; reassessment of municipal role in housing provision;

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- identify key factors which stimulate housing market and housing demand;
- identify local and regional housing objectives;
- identify preferences in housing type and density; and,
- liaise with appropriate agencies, authorities, and municipal departments.

Phase V - Development of Housing Policy and Targets

This phase will involve the review and modification as necessary of existing housing policies. An overall strategy will be developed to assist in the implementation of the City housing policies. The current short term annual housing targets will also be reviewed and modified as necessary, to enable future monitoring. Steps will include the following:

- select a preferred approach to address key housing issues, which will be compatible with short term housing objectives;
- ensure compatibility of local and regional housing policies;
- develop general and specific policies to provide the appropriate housing supply addressing issues such as infilling, redevelopment, etc.;
- review and review as necessary the existing short-term (five-year) annual housing production targets, by unit type, for both private and assisted housing;
- identify the roles of the housing industry and the City in meeting housing policies and targets;
- ensure compatibility of proposed housing policy with objectives of other housing agencies and authorities; and;
- prepare draft report;

Phase VI - Implementation Strategy

This phase will involve the development of a strategy to ensure the implementation of the recommended housing policies and targets, and will include the following steps:

- circulate draft report to appropriate agencies for comments;
- revise study report and recommendations as necessary;

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- take actions required to implement the desired strategy;
- amend Official Plan policies as necessary to incorporate new housing policies;
- establish appropriate development control measures to regulate and control housing activity in the City;
- outline the steps necessary for formal adoption of study recommendations; and,
- develop a program for review and monitoring key indicators within the housing market.

Study Process

The following steps will be involved in the completion of the Municipal Housing Statement Update, in accordance with the requirements of the Ministry of Housing:

- Phase I - Study Design and Negotiation, including:
 - preparation of Terms of Reference;
 - authorization by City Council to undertake study;
 - completion of application for study grant;
 - City Council resolution requesting funding;
 - Regional Council endorsement of funding application;
 - submission of detailed terms of reference and council resolutions to Ministry of Housing;
 - Ministry of Housing review and approval of study design and request for funding;
 - meeting with Ministry officials to finalize study design;
 - initiation of Phase II - Data Collection;
 - payment of 25% of study grant, upon completion of data collection in Phase II;
- completion of Phases III to V of Study, including data analysis, policy development and preparation of draft Municipal Housing Statement Update report;

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- Ministry review of draft Update, and payment of an additional 50% of study grant;
- Phase VI - Implementation Strategy, including review and revision of draft report;
- City Council approval of Update;
- Regional Council endorsement of Update; and,
- Ministry of Housing approval of Update and payment of remaining 25% of study grant upon approval of Update by the Minister of Housing.

Study Timing

The study is anticipated to require approximately nine months for completion of the data collection and analysis, development of the revised housing strategy and policies, and review and revision of the draft report.

It is recommended that the data collection phase of the study begin in September of 1987, followed by the analysis phases. The first draft of the Update would be available by spring of 1988, and final approval of the report by the Ministry of Housing would be expected by September, 1988. Further details of the study timing are provided in the attached schedule.

Staffing

The study will be co-ordinated by staff of the Neighbourhood Planning Section of the Planning and Development Department.

The study staff will include the permanent staff of the Neighbourhood Planning Section, as well as other members of the Planning Department staff, and temporary staff. The existing staff include the Director of Local Planning, the Manager of the Neighbourhood Planning Section, Planners with experience in the housing research field, and Planning Technicians. Other staff will also be involved, such as the General Manager of the Municipal Non-Profit Housing Corporation, Planners from the Regional Strategic Planning Section, and other staff.

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Considerable assistance will be provided by the General Manager of the Municipal Non-Profit Housing Corporation with the design and administration of the assisted housing survey, and with the provision of input on housing policy and strategy. The various private non-profit housing groups in the city as well as the Social Planning and Research Council, housing consultants and other housing interest groups will also be approached to provide input into the design and analysis of the assisted housing survey, the evaluation of waiting lists and related issues. Staff of the Ministry of Housing will also be consulted concerning the details of the study design, and they will review and approve the study report. Public meetings will be held to obtain input from the general public on the housing strategy recommendations.

Study Cost

The estimated cost of the Municipal Housing Update Study is \$44,305.70. The study will require a total of 220 person days of staff time. The details of the work schedule, staffing and associated costs are provided in the attached schedule.

Funding in the amount of up to \$25,000 is available from the Ministry of Housing to assist with the cost of the Update. A basic grant amount of \$20,000 is available for the completion of the study. An additional grant of up to \$5,000 is also available to cover hard costs associated with a mail out questionnaire for the Assisted Housing Survey, such as postage, photocopying and paper costs, but excluding staff costs. The City would be responsible for the remaining study cost of \$19,305.70. The City contribution would be derived from the Planning Department budget, through assignment of Planning staff and support services.

VG:nd
W.P. DOC. 0559P

MUNICIPAL HOUSING STATEMENT UPDATEESTIMATE OF STUDY TIME AND COST

<u>PHASE</u>	<u>TASKS</u>	<u>ESTIMATED TIME (Person Days)</u>	<u>ESTIMATED COST (\$)</u>
I	- Finalize study design - Receive approval for study	N/A	
II	- Review background information - Research and data collection on housing supply, demand and related characteristics. - Conduct Assisted Housing Survey - Prepare data summaries	M - 5 PII - 10 PIII - 30 S - 80	
TOTAL - PHASE II		125	\$12,461.30
III	- Review findings and trends - Summarize and analyze results - Forecast housing supply and demand - Evaluate effectiveness of assisted housing programs	M - 5 PII - 10 PIII - 20 PT - 5	
TOTAL - PHASE III		40	\$ 6,061.00
IV	- Identify existing housing issues and problems - Develop alternative solutions	PII - 5 PIII - 15 PT - 5	
TOTAL - PHASE IV		25	\$ 3,407.20
V	- Select preferred approach - Formulate policies, strategy - Establish housing targets - Define Municipal role - Prepare draft report	M - 5 PII - 5 PIII - 15 PT - 5	
TOTAL - PHASE V		30	\$ 4,530.70
VI	- Circulate report for comments, revise as necessary - Presentation and approval - Submit for Ministry approval	M - 5 PII - 10	
TOTAL - PHASE VI		15	\$ 2,845.50
SUB-TOTAL		220	\$29,305.70

- 2 -

	<u>ESTIMATED TIME</u> <u>(Person Days)</u>	<u>ESTIMATED</u> <u>COST (\$)</u>
<u>ADDITIONAL COSTS</u>		
Survey Costs - Printing, Postage	\$ 5,000.00	
Secretarial and Administrative	2,000.00	
Cartographic	1,000.00	
Computer	2,000.00	
Printing of Report	3,000.00	
Contingency	2,000.00	
<hr/>		
TOTAL ADDITIONAL COSTS	\$15,000.00	
<hr/>		
TOTAL STUDY	220	\$44,305.70
<hr/>		

M - Manager
 PII - Planner II
 PIII - Planner III (temporary)
 PT - Planning Technician
 S - Student

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **Eleventh** Report for 1987 and respectfully recommends:

1. For the information of the members of City Council, The Legislation Committee wishes to advise that it has increased the composition of the Hamilton Status of Women Sub-Committee by one citizen member from twelve (12) to thirteen (13) and has appointed the following three women to fill the present two vacancies and the newly created position:

- (a) Lorraine Putnins
- (b) Betty Kobayaski
- (c) Lynn Spencer

2. (a) That an order be placed with **Balfour Canada, Milton**, for 25 gold men's civic rings at an estimated cost of \$4 300 (\$172 each).
- (b) That the Finance Committee recommend the method of financing.

NOTE: Balfour Canada, Milton received the City's tender for civic awards on 1987 February 24.

The order of 25 men's civic rings is required to complete the supply of those awards which have been approved by City Council.

3. (a) That the City of Hamilton host an informal reception on 1987 November 8 at the Royal Connaught Hotel for 200 delegates attending The Canadian Steel Trade Conference, at an amount not to exceed \$2 000.
- (b) That this cost be charged to Account #0373-1003 - Special Civic Receptions and Delegate Hostings.

NOTE: The Canadian Steel Trade Conference will be held here in Hamilton in November which will bring considerable prestige to our City and conference programs. The 200 delegates and guests will come from labour, management, and various levels of government from all across the country. The Prime Minister of Canada has been invited to attend.

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4. (a) That the City host a banquet in honour of approximately 500 volunteers who are actively involved in providing community based recreation programmes during the spring and summer season, at an estimated cost of \$10 000, and further that the banquet be held at the conclusion of a "Sports Symposium" at which a Sports Council will be officially formulated.
- (b) That this cost be charged to Account #0373-1003 - Special Civic Receptions and Delegate Hostings.

NOTE: The Director of Culture and Recreation recommended that this banquet be held as a pilot project in 1987.

In the event the function becomes an annual event, funds for same will be provided within the Department of Culture and Recreation estimates.

5. That the following resolution of the Township of Cumberland **not be endorsed:**

THAT WHEREAS the Council of the Township of Cumberland firmly believes that, for fire safety reasons, a valve shutting-off the gas line, should be installed for every block of townhouse units rather than one valve for the whole townhouse project;

BE IT THEREFORE RESOLVED THAT this be a condition for all future subdivision agreements; and

THAT the Province of Ontario be petitioned to include in Provincial Regulations governing the supply of gas to multiple dwellings, the requirement that an exterior shut off valve be installed for each block of dwellings:

THAT all Ontario municipalities be provided with a copy of this resolution and be asked to endorse same through the Association of Municipalities."

6. That the following resolution of the City of Toronto **be endorsed:**

WHEREAS the existing Canadian Copyright Act permits the use of any work or publication provided that such use is for the purpose of private study, research, criticism, review or newspaper summary, termed Fair Dealing, and

WHEREAS said Act provides a clear distinction between the public exhibition or display of works of art or visual reproductions which are not covered by copyright, and the public performance of play, ballet, etc. which are, and

WHEREAS the Federal Government's Charter of Rights for Creators intends to strengthen the protection for creators through severely limiting the exemption of copyright infringement, and extending the definition of public performance to include any display of works of arts, pictures, etc., and

WHEREAS proposed amendments to the Act would establish collectives whose mandate will be the setting and collection of user fees, and the monitoring of all photocopying, and

WHEREAS the composition of said collectives and of a Copyright Appeal Board would exclude libraries and other institutions from membership, and fees collected by a collective when paid by public libraries are tax dollars, and

WHEREAS libraries and other institutions will no longer be able to display works of art, etc., that they own without paying a fee to the collective, and

WHEREAS proposed amendments to the Act may jeopardize the need of citizens to access information.

THEREFORE be it resolved that:

1. there be no narrowing of the present scope of the concept of Fair Dealing;
2. Fair Dealing be equally available to individuals and to those intermediaries who copy work on behalf of individuals;
3. libraries, their staff and board members not be held accountable for infringements by others on library premises and/or using library materials on other premises;
4. the provision of a single copy to another library through inter-library loan be considered Fair Dealing;
5. the number of collectives be kept to a minimum and be comprehensive in coverage;
6. the Copyright Board ensure that fees charged by collectives are fair and reasonable;
7. the Copyright Board membership include representation from the library community and other concerned organizations; and
8. the display of such visual media as paintings, pictures, maps, etc. continues to be excluded from any amendments which are relative to exhibition or public performance rights.

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7. That City Council support the full implementation of Regulation 100/85 respecting free circulation of library material, and not support the following resolution of the City of London and London's Public Library Board:

THAT, at the request of the London Public Library Board, a copy of the attached brief regarding the effect that Ontario Regulation 100/85, pursuant to the Public Libraries Act, will have on curtailing certain user fee charges currently made by many public library boards in Ontario **BE FORWARDED** to the Association of Municipalities of Ontario and to those municipal councils that have not already received the brief, urging them to support the City's efforts in this matter.

NOTE: The brief referred to in the City of London's resolution, is attached hereto as **Schedule "A"**.

- * 8. (a) That the City of Hamilton Licence By-law 79-323 be amended so as to provide the following, on a three month trial basis:

- (i) that billiard parlours shall be closed and remain closed on all other days except Saturday, from three o'clock in the forenoon until eight o'clock in the forenoon of the same day.
- (ii) that all pinball machines and amusement machines on the premises of a billiard parlour shall remain closed on all other days except Saturday, from 12:00 midnight until eight o'clock in the forenoon of the following day.
- (iii) no person under 14 years of age shall be allowed to be on the premises of a billiard parlour after 9:00 o'clock in the afternoon or before 8:00 o'clock in the forenoon of the following day.

- (b) That the City Solicitor be authorized and directed to prepare the necessary amending by-law.

NOTE: A petition was received from a number of billiard hall owners to allow 24-hour operation of their billiard halls and a public meeting was held by the Licencing Committee on 1987 May 13. At this meeting, the owners unanimously requested that the Licence By-law be amended, however, staff were directed to prepare a full report on all aspects of the issue. A survey was conducted of the sixteen licensed facilities as to the potential impact on the community and a report was obtained from the Hamilton-Wentworth Regional Police. After considerable discussion, the Licensing Committee, at its meeting held 1987 June 11, recommended a 3-hour extension only subject to the conditions outlined in Recommendations 2 and 3.

9. (a) That By-law 79-323, Schedule 15, Subsection 5 (2) (b) (iii) -Licence By-law be amended by deleting the word "following" in the last line and inserting in lieu thereof the word "same"
- (b) That the City Solicitor be authorized and directed to prepare the necessary amending by-law.

NOTE: For the information of the members of City Council, there is a minor error contained in the by-law which requires this amendment. The passing of this By-law will not alter in any way the intent of the schedule.

10. (a) That By-law 79-323, Schedule 4 - Licencing By-law be amended by changing the reference in Section 18 from "Section 14" to "Section 13" and also by changing the reference in Section 20 from "Section 20" to "Section 19".
- (b) That the City Solicitor be authorized and directed to prepare the necessary amending By-law.

NOTE: There are minor numbering errors contained in Section 4 of the City's Licencing By-law which require amendment. The passing of this By-law will not alter in any way the intent of the schedule.

11. That Troy D'Sousa, 175 Catharine Street South, #63, be granted a Street Vendor's permit for the following two locations:

- (a) the south-west corner of King and Catharine Street (Connaught Parking Lot), and
- (b) the south side of York Street at Bay Street (Copps Coliseum).

NOTE: For the information of the members of City Council, these two applications meet the requirements of the Street Vendor's By-law, and is in accordance with the Legislation Committee's policy whereby each applicant is permitted up to two locations.

- * 12. (a) That the City of Hamilton be divided into 12 Wards as outlined on the attached map, marked as **Schedule "B"**.
- (b) That the City Solicitor be authorized and directed to prepare the appropriate By-law.

13. (a) That approval be granted to St. Peter's Hospital to use the City Hall forecourt from approximately 12:30 o'clock noon to 1:00 o'clock p.m. on Thursday, 1987 September 17th for the Closing Ceremonies of the St. Peter's Hospital Wheelathon.

- (b) That a P. A. System be provided.

* Section 12 Lost,
Recorded Vote, see page 1437

14. (a) That approval be granted to the Y.W.C.A. for the following use of City Hall facilities with respect to Peal for Peace Day in Hamilton on Tuesday, 1987 September 15th:

(i) Use of the Council Chambers from approximately 11:30 a.m. to 1:00 p.m.

(ii) Use of a piano.

- (b) That light refreshments of coffee, pop and cookies at a maximum cost of \$100 be provided.

NOTE: Funding for this expenditure to be charged to Account No. 0373-1002 - Receptions, City Hall.

15. That a reviewing stand on the north side of King Street West in the area of Victoria Park be provided for the Labour Day Parade to take place on Monday, 1987 September 7th.

16. (a) That approval be granted to the Sexual Assault Centre for the following use of City Hall facilities on Friday, 1987 September 18th for their Annual "Take Back the Night" Walk:

(i) Use of the City Hall forecourt from approximately 7:00 o'clock p.m. to 9:00 o'clock p.m.

(ii) Use of the P.A. System.

(iii) Use of a megaphone.

- (b) That staff overtime for a Property Maintenance worker for 4 hours at an estimated cost of \$50 be approved.

NOTE: Funding for this staff time to be charged to Account Number 0321-0760, Use of City Hall facilities and equipment by Outside Groups.

17. That approval be given to the St. Stanislaus Kostka Parish to have a photographic historical display mounted on easels on the west side of the first floor foyer of City Hall in commemoration of their 75th Anniversary during the weeks of 1987 October 18 and 25.

18. That approval be granted to the Hamilton Disarmament Coalition for the use of the following City Hall facilities to hold vigil commemorative services to mark the nuclear bombings of Hiroshima and Nagasaki:

(a) Use of City Hall forecourt on Thursday, 1987 August 6 from 8:00 a.m. to 9:00 a.m.

(b) Use of City Hall forecourt on Sunday, 1987 August 9 from 11:00 a.m. to 12:00 noon; and

(c) Use of the City Hall washrooms.

19. That leave be granted to introduce the following bills:

- (a) Bill No. E-12 A By-law to Amend Licensing By-law No. 79-323 as Amended by: By-law No. 85-57 Respecting Changes in Paragraph and Section Numbers.

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

J. J. Schatz
Acting Secretary
1987 July 20

07/28/87

Schedule "A" as referred to
in Section 7 of the Eleventh
Report of the Legislation
Committee

A BRIEF
PRESENTED TO THE
HONOURABLE LILY MUNRO
MINISTER OF CITIZENSHIP AND CULTURE
REGARDING ONTARIO REGULATION 100/85
UNDER THE
PUBLIC LIBRARIES ACT
NOVEMBER 14, 1986 AT
THE LONDON PUBLIC LIBRARY

In 1990, Ontario Regulation 100/85, under the Public Libraries Act, 1984, will be fully in force. The Regulation will have the effect of curtailing certain user fee charges currently made by many public library boards in Ontario. The Library Boards and Councils of the cities of Kitchener and London are very much concerned that this loss of revenue will result in the reduction of certain services presently enjoyed by the public. In support of this view, we would ask you to consider the following points.

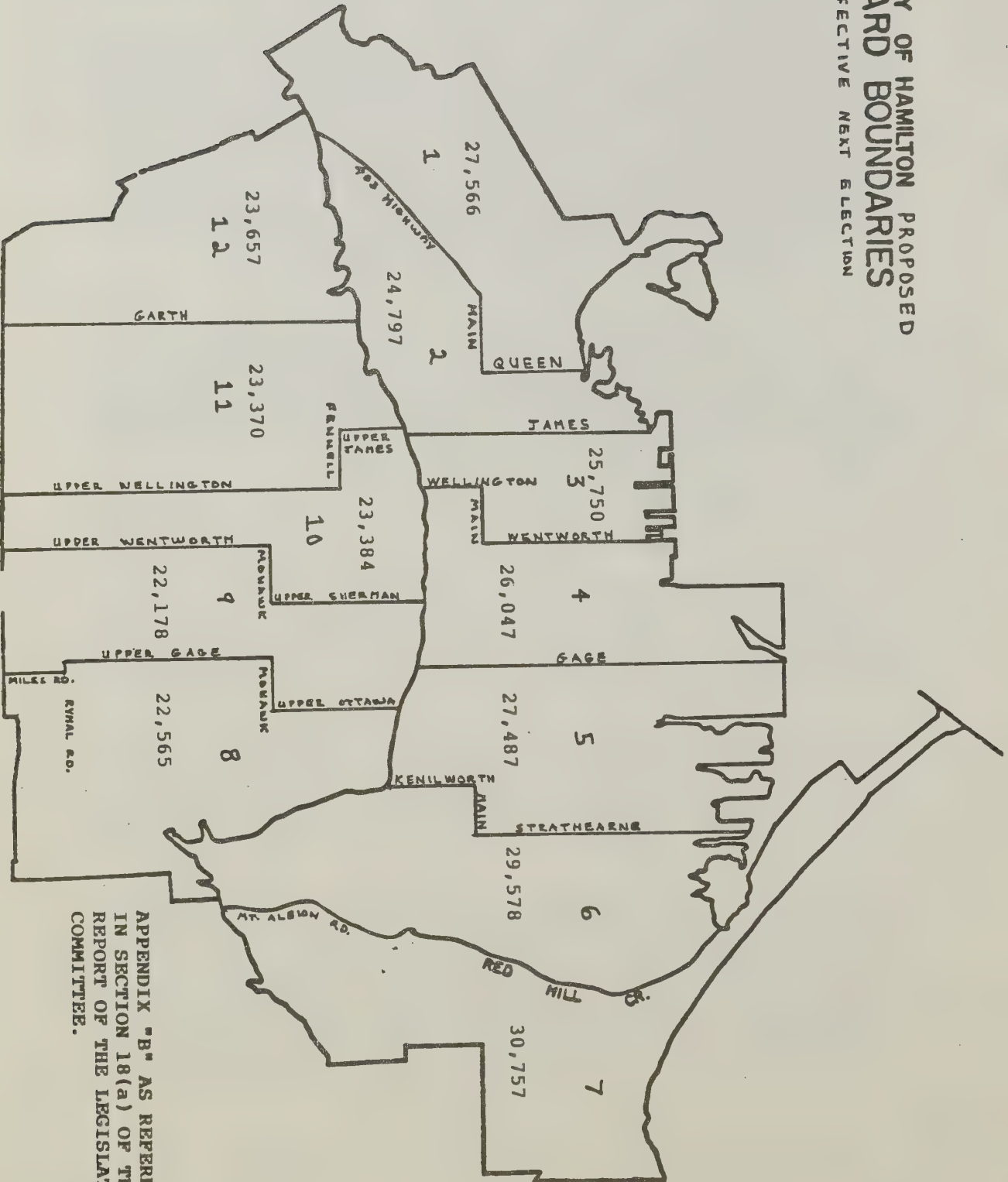
1. Eliminating existing revenues will mean that local Councils will be faced with funding existing services directly from the local tax base. These services are presently supported in part by user fees (e.g. audio-visual services). The alternative is a reduction or elimination of the service.
2. The Province has made no commitment to providing extra funds to provide for the continuation of these "free" services after 1990.
3. If it is the intention of the legislation to provide "free" public library services in the same manner as "free" education is provided, surely it is incumbent on the Province to ensure that the funding for all public libraries is adequate to meet the intention of the Act, i.e. free library service. (We would note that the present level of provincial support for the Kitchener and London Public Libraries represents only 10% of operating revenue.)
4. It should be noted that many services in public libraries were started with the support of user fees. Elimination of the fees will threaten the continuation of the services. Likewise, the introduction of new services, which will have to be funded from the local tax base, will be seriously inhibited.
5. We would submit that the support of many volunteer municipal services by user fees (such as art galleries, museums, heritage buildings, arenas, golf courses) is a well entrenched principle. To distinguish between these services and public library service is difficult to support on a pragmatic basis.
6. A major thrust of the new legislation is to place fiscal responsibility squarely on the local council to provide free library service to its citizens and through inter-library loan to non-residents and to place responsibility for the maintenance and enhancement of library service upon the Library Board. The reconciliation of the fiscal responsibilities of Council and the service responsibilities of the Library Board is seriously inhibited by the rigidity of the regulations of the Library Act.

7. Supporting our point of view in this matter is the following statement approved at the Ontario Chamber of Commerce Annual General Meeting in Sarnia of May, 1985.

"When regulations of the Act pursuant to Section 23 of the new Act come into force, there will be significant impact on a public library's ability to generate its own revenues to provide additional services such as the rental of films, film projectors, video cassette players, video cassette tapes, phono records and audio tapes . . . If the ability of libraries to generate such additional revenues is eliminated, given the program of fiscal restraint, presently in effect in most municipalities, there is a real danger that such services will deteriorate and eventually be lost as a significant resource to Ontario communities."

In view of the foregoing, the City Councils and Library Boards of the cities of Kitchener and London respectfully request the Minister to change Regulation 100/85 as it pertains to paragraph 5 to 14 of section 2 of this Regulation to provide for a more flexible local approach to the funding of library services to meet each community's unique needs.

CITY OF HAMILTON PROPOSED
WARD BOUNDARIES
EFFECTIVE NEXT ELECTION



APPENDIX "B" AS REFERRED TO
IN SECTION 18(a) OF THE 9th
REPORT OF THE LEGISLATION
COMMITTEE.

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its **TWELFTH** Report for 1987 and respectfully recommends:

1. That the Mayor and City Clerk be authorized to execute an Agreement to be entered into with the City of Burlington to have the Burlington Fire Department respond, on request of the Hamilton Fire Department, to that area of the City of Hamilton located north of the High Level Bridge on York Boulevard, for that period of time that the High Level Bridge is closed for reconstruction purposes.

The City of Burlington to be reimbursed on the following basis: \$200 for the first hour and \$100 for each additional hour for each unit dispatched. This Agreement to be prepared by the City Solicitor's Department.

2. That an increase of 4.5%, effective January 1, 1987, be applied to the present fee paid to Dr. J. D. Bell for services rendered in conducting annual medicals for the Hamilton Fire Department.
3. Approval of the Collective Agreement between The Rodmen Employer Bargaining Agency and the Rodmen Employee Bargaining Agency Local Union 736 (Hamilton), attached hereto as Schedule "A".
4. Approval of the Memorandum of Agreement between The Corporation of the City of Hamilton and The Hamilton Professional Fire Fighters' Association dated June 18, 1987, attached hereto as Schedule "B".
5. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to 1987 July 13, as set out on the list attached hereto as Schedule "C".
6. That the City Solicitor's Consultants' Fees Account Number 0325-0156 be increased by \$77,144. This additional money is required to cover actual and anticipated expenses for the balance of the current year. The Finance Committee to be requested to recommend the method of financing.

7. (a) That Item 1 of the Fifteenth Report of the Personnel Committee adopted by City Council at its meeting held Tuesday, November 11, 1986, be rescinded.

Note: For the information of the Members of the Committee Item 1 authorized an amendment to an existing contract with Victor Pala for architectural services respecting construction of Fire Station No. 5 at Stone Church Road and Birchmount. This station was not built. The services provided were utilized in constructing the Quigley Road Fire Station No. 7. Accordingly, a new contract is required for the new station No. 5 that is being built at Limeridge and Upper Ottawa.

- (o) That the Statutory Holdback in the amount of \$4,838.44 deducted from Mr. Pala's consultant fee of \$32,256.25, for architectural services performed in respect to the original location of Fire Station No. 5 at Stone Church Road and Birchmount, be released.
- (c) That the Mayor and City Clerk be authorized to execute a Consultant's Agreement with Victor P. Pala Architect Ltd., for architectural services for the construction of the new Fire Station No. 5, located at Limeridge and Upper Ottawa Street, for a total fee of \$74,675. The Agreement to be in a form satisfactory to the City Solicitor's Department.

8. That the Hamilton Fire Department provide agility testing and probationary training for the City of Stoney Creek Fire Department, at the Simulated Fire and Rescue Complex. The foregoing will be provided on a charge for services basis, and it is estimated that the City of Hamilton will realize approximately \$18,575. for this service.
9. City Council at its meeting held Tuesday, June 23, 1987, on the recommendation of the Personnel Committee, approved of the purchase of 1402 Upper Wellington Street from Dorothy J. Smith and Laurence B. Smith for the construction of a fire hall.

It is recommended that this property be leased to Dorothy J. Smith and Laurence B. Smith for a period of one year, commencing October 1, 1987, at a monthly rental of \$400, including taxes (\$1,547.48 for 1987). After October 1, 1988, the lease to continue on a month-to-month basis; all terms and conditions to remain the same, with the requirement that a two-month written notice be given by either party to terminate the lease and for the City to obtain vacant possession.

10. (a) That a cut-off date of September 1, 1987, be set for appeals to be filed in connection with the Non-Union Salary Review.
- (b) That the results of any appeals made in connection with the Non-Union Salary Review not be released and made public until all such appeals have been heard.

Respectfully submitted,

ALDERMAN M. KISS, CHAIRPERSON,
PERSONNEL COMMITTEE.

E. A. Simpson, Secretary,
1987 July 22.

07/28/87

-1605-
SCHEDULE "A"

Referred to in Section 3 of the
Twelfth Report of the Personnel
Committee.

The Rodmen Employer Bargaining Agency and the Rodmen Employee Bargaining
Agency.
Local Union 736 (Hamilton)

<u>Classification</u>	<u>Effective Date</u>	<u>Wages</u>	<u>Pension</u>	<u>Welfare</u>	<u>Vac. & Hol. Pay</u>	<u>Trade Improv.</u>	<u>Total Wage Pkg.</u>
Rodmen &	May 1/87	\$18.69	\$ 1.25	\$ 1.50	\$ 1.87	\$0.05	\$23.36
Rodmen Welders	Nov.1/87	\$18.92	\$ 1.25	\$ 1.50	\$ 1.89	\$0.05	\$23.61

FOREMAN	\$1.75 above Journeyman's rate
SUB-FOREMAN (PUSHER)	\$1.25 above Journeyman's rate

Overtime premium is payable on this rate.

THIS MEMORANDUM OF AGREEMENT MADE THIS 18th DAY OF JUNE, 1987

BETWEEN THE NEGOTIATING COMMITTEES OF:

THE CITY OF HAMILTON

AND

THE HAMILTON PROFESSIONAL FIRE FIGHTERS ASSOCIATION

- I The parties herein agree to the terms of this Memorandum of Agreement as constituting full settlement of all matters at issue between the parties.
- II The undersigned representatives of the parties agree to recommend, unanimously, acceptance of all the terms of this Memorandum to their respective principals.
- III The parties herein agree that the term of the Collective Agreement shall be January 1, 1987 to December 31, 1988.
- IV The parties agree that all provisions of the Collective Agreement covering the period January 1, 1985 to December 31, 1986 shall continue in effect as amended by the following provisions.
- V The Collective Agreement shall be amended in accordance with the following and such amendments shall become effective upon ratification by both parties whose appropriate officers have appended their signatures hereto, save and except where this Memorandum of Agreement specifically provides otherwise.

The following are the amendments referred to in item V above:

1. ARTICLE 4 - HOURS OF EMPLOYMENT

- a. Delete clauses 4.1 (c), 4.7 and "the Airport Division" from the first sentence.

2. ARTICLE 5 - OVERTIME COMPENSATION

Amend the second set of (a) and (b) to (i) and (ii).

3. ARTICLE 7 - ANNUAL VACATIONS

a. Effective January 1, 1988 amend 7.4 to 7.10 as follows:

- 7.4 Employees in the employ of the Employer who have completed nine (9) years of continuous service in that calendar year shall receive four (4) weeks vacation with pay.
- 7.5 Employees in the employ of the Employer who have completed seventeen (17) years of continuous service in that calendar year shall receive five (5) weeks vacation with pay.
- 7.6 Employees in the employ of the Employer who have completed twenty (20) years of continuous service in that calendar year shall receive five (5) weeks and one (1) day vacation with pay.
- 7.7 Employees in the employ of the Employer who have completed twenty-one (21) years of continuous service in that calendar year shall receive five (5) weeks and two (2) days vacation with pay.
- 7.8 Employees in the employ of the Employer who have completed twenty-two (22) years of continuous service in that calendar year shall receive five (5) weeks and three (3) days vacation with pay.
- 7.9 Employees in the employ of the Employer who have completed twenty-three (23) years of continuous service in that calendar year shall receive five (5) weeks and four (4) days vacation with pay.
- 7.10 Employees in the employ of the Employer who have completed twenty-five (25) years of continuous service in that calendar year shall receive six (6) weeks vacation with pay.

4. ARTICLE 11 - SICK LEAVE, PENSION, GROUP MEDICAL, DENTAL AND HOSPITALIZATION PLANS, AND GROUP LIFE INSURANCE PLAN BY-LAW 8223 as amended

- a. Delete clause 11.1 (b) and renumber the remaining clauses accordingly.

b. Amend clause 11.5 as follows:

The Employer shall pay the full cost of the premiums of the Canada Life Extended Medical Plan, including semi-private coverage, drugs and vision care, for all employees, as detailed in the attached schedule "6".

c. Schedule "6" shall be amended as follows:

- (i) Vision Care Plan shall be amended to \$100.00 in any two consecutive calendar years.

- (ii) The following optional paramedical services qualify as charges but only to the extent that they are duly qualified in accordance with the laws of the Province in which they are practising within the scope of their license.

Chiropractors

Osteopaths

Chiropodists or Podiatrists

Charges for diagnostic X-rays and laboratory fees ordered by any of the above.

The maximum charge for each visit is not to exceed the schedule of fees approved by the Association of which the practitioner is a member, and where there is no approved schedule of fees, the charge must be reasonable.

The maximum is \$400.00 per person per calendar year.

d. Amend clause 11.6 as follows:

The Employer shall pay the full cost of the Canada Life Dental Plan as detailed in the attached schedule.

e. Schedule "6" shall be amended as follows:

- (1) Item I - Removable Prosthodontics shall be deleted and replaced with the following:

I. Removable Prosthodontics

- (1) Complete Dentures

51100, 51110, 51120, 51300, 51310, 51600, 51610, 51620.

- (2) Transitional Partial Dentures

52120, 52121

- (3) Partial Dentures

52220, 52221, 52230, 52231, 52320, 52321

- (4) Cast Chrome, Cobalt, or Gold:
52400, 52410, 52500, 52510, 52520, 52525, 52530,
52531, 52535, 52600, 52610, 52620, 52630, 52800

J. Fixed Prosthodontics

- (1) Pontics
62100, 62500, 62510, 62600, 62700, 62800
- (2) Retainers - Inlay, Onlay:
65200, 65300, 65400
- (3) Repairs
66100, 66200, 66300, 66400, 66500, 66600, 66610,
66620
- (4) Retainers - Crown
67100, 67101, 67200, 67400, 67410, 67600
- (5) Splinting
69610, 69620
- (6) Retentive Pins in Abutments
69701, 69702, 69703, 69704, 69705

K. Major Restorative

- (1) Metal Restorative
25100, 25200, 25300, 25500
- (2) Retentive Pins in Inlays and Crowns
25601, 25602, 25603, 25604, 25605
- (3) Crowns
27100, 27110, 27130, 27140, 27200, 27210, 27300,
27310, 27401, 27403, 27411, 27413, 27500, 27700,
27710, 27800, 27810
- (4) Other Services
29100, 29300, 29500, 29510

If the insurance under provisions with respect to an insured person terminates due to termination of (i) the individual's employment, (ii) the individual's membership in the class or classes of individuals eligible for insurance or (iii) the policy, and the insured person has commenced treatment covered under this provision prior to such termination, insurance under this provision with respect to the insured person will, notwithstanding the termination, be deemed to continue in force for 30 days with respect to charges incurred for the same treatment. The exception to the foregoing shall be that if the insured person has had an impression taken or a tooth prepared for a crown, bridge or denture in accordance with I, J, or K above prior to such termination, insurance under this provision with respect to the insured person will,

notwithstanding the termination, be deemed to continue in force for 90 days but only with respect to charges covered under I, J, or K for or resulting from the aforesaid impression, crown, bridge or denture.

Charges for replacement of an existing partial or full removeable denture or fixed bridgework, or the addition of teeth to an existing partial removeable denture or to bridgework to replace extracted natural teeth, will only be paid for if evidence satisfactory to the Insurance Company is presented that:

- (i) the replacement or addition of teeth is required to replace one or more additional natural teeth extracted after the existing denture or bridgework was installed and while the insured person is covered under this provision, or
- (ii) the existing denture or bridgework was installed at least five years prior to its replacement and that the existing denture or bridgework cannot be made serviceable, or
- (iii) the existing denture is an immediate temporary denture replacing one or more natural teeth, for which impressions were taken while the insured person is covered under this provision, and replacement by a permanent denture is required, and taken place within twelve months from the date of installation of the immediate temporary denture, or
- (iv) the existing denture or bridgework is replaced by an equivalent denture or bridgework.

The maximum amount payable with respect to I, J, or K coverage defined above which are incurred by each insured person under this provision in any twelve consecutive months shall not exceed One Thousand Five Hundred dollars (\$1,500.00).

If an insured person incurs any of the I, J, or K coverage defined above while the insurance under this provision with respect to the insured is in force, the Insurance Company will pay to the individual an amount equal to eighty per cent (80%) of the charges incurred.

- L. Orthodontics (applicable to Dependent Children to the age of 18 only)

All necessary dental treatment which has as its objective the correction of malocclusion of the teeth.

Coverage is provided at 50% of the dentist's charge, or at 50% of the Fee Guide or Schedule of Fees for general practitioners, whichever is lower. There is a lifetime maximum payment under this coverage of fifteen hundred dollars (\$1,500.00).

- d. Remove the word "normal" from Note (2) of clause 11.7 so that (2) reads as follows:

(2) Retired shall mean retirement as set out in

- (i) H.M.R.F.
- (ii) O.M.E.R.S.

and shall include retirement because of disability as described in those plans.

- e. Replace (c) with the following:

- (3) The foregoing shall apply to employees of the Hamilton Fire Department who have retired January 1, 1985 and after with the exception of those who have taken employment elsewhere and are eligible for benefit coverage through another Employer.

- f. Add clause 11.8 as follows:

The Employer shall pay the full cost of the premiums of a life insurance plan that provides five thousand dollars (\$5,000.00) coverage for each members spouse and three thousand dollars (\$3,000.00) coverage for each members dependent child.

- g. Add clause 11.9 as follows:

The Employer shall pay the full cost of the premiums of a Accidental Death and Dismemberment Policy equal to two (2) times the employee's annual basic wage rate to the nearest one thousand dollars.

- h. Add clause 11.10 as follows:

The members of the Association agree to waive their right to their Unemployment Insurance Rebate.

- 1 Add clause 11.11 as follows:

The Employer shall provide a permanent partial disability plan for all members of the H.M.R.F. and O.M.E.R.S. plans.

The Employer and the Association to agree to the definition of permanent partial disability prior to implementation of the coverage.

- j. all members of the H.M.R.F. shall be allowed to purchase their full service with the Corporation. The Employer shall request that the Employer's share of the contributions be funded from the H.M.R.F. Employees shall have until December 31, 1988 to purchase this service.

5. ARTICLE 13 - LEAVE OF ABSENCE

- a. Amend 13.3 to read as follows:

Leave of absence without loss of pay shall be granted an employee attending the burial of a member of his/her family consisting of spouse, child, step-child, parent, parent-in-law, sister or brother, grandparent or grandchild, brother-in-law or sister-in-law. Such leave of absence shall not be more than three days.

- b. Delete 13.3 (b).

5. ARTICLE 14 - PROMOTIONS, SENIORITY AND TRANSFER

- a. Amend 14.4 as follows:

14.4 (b) A fire fighter up to and including 1st class who transfers from one division to another shall progress through the ranks for periods of six months until he/she attains his/her previous rank.

- b. Delete 14.6

c. Add new 14.6 as follows:

All new employees shall serve a probationary period of twelve (12) months. New employees (i.e. hired from outside the Fire Department) in the classifications of Divisional Chief of Administration, Public Relations Officer, Supervisor of Vehicles and Equipment Repairs and Mechanic will be paid at 90% of the job rate for the probationary period.

6. ARTICLE 15 - UNIFORMS AND EQUIPMENT

- a. Amend Schedule "B" to reflect the current 8 clothing packages and add a 9th package that provides for a tunic package once every 4 years with the exception that those firefighters holding the rank of District Chief and above, and members of the Fire Prevention Bureau may select this 9th package once every two years.

7. ARTICLE 19 - LONG SERVICE PAY

- a. Add ten dollars (\$10.00) to 19.1, twenty dollars (\$20.00) to 19.2, thirty dollars (\$30.00) to 19.3, forty dollars (\$40.00) to 19.4, fifty dollars (\$50.00) to 19.5, sixty dollars (\$60.00) to 19.6, seventy dollars (\$70.00) to 19.7 and eighty dollars (\$80.00) to 19.8.

8. ARTICLE 24 - DURATION OF AGREEMENT

Amend dates to reflect a term of January 1, 1987 to December 31, 1988.

9. LETTERS OF INTENT

- a. Add letter of intent to provide for discussions in the forthcoming contract year regarding the concept of flexible benefit plans.
- b. Add letter of intent regarding introduction of Fire Fighting clothing that meets the PROJECT FIRES MODEL PERFORMANCE CRITERIA as agreed upon by the Health and Safety committee; clothing to be phased in over 5 years; in the event the requirements change the phase-in time would have to be re-established.

c. Delete Letters of Intent re:

Re-examination of titles of Assistant Deputy Chief and
i Executive Officer.
ii Bank deposit of paycheques.
iii Probationary period.

d. Delete Schedule "F" as it is covered in clause 13.5.

10. OTHER ITEMS

a. Employer is to be substituted for Corporation and the City of Hamilton.

Director of Human Resources is to be substituted for Personnel Director or Director of Personnel.

Human Resources Centre is to be substituted for Personnel Department.

b. Recognition that Chief will put policy in place that notification must be provided to the Department if a firefighter loses his driver's license.

c. Chief to communicate with Chief Fire Prevention Officer regarding Fire Prevention Bureau members being allowed to take one week of vacation in individual days.

11. SCHEDULE "A"

a. Reclassify Chief Fire Prevention Officer to C-12/A.
Reclassify Supervisor of Vehicle & Equipment Repairs,
Public Relations Officer, Communications Officer and
Assistant Chief Fire Prevention Officer to C-9/A.

b. All positions in the C-9/A classification are to have job descriptions prepared and evaluated by the City of Hamilton's evaluation system. The results of this evaluation will be discussed with the Firefighters Association. In the event the evaluation results in a salary increase the amount will be retroactive to January 1, 1987.

c. Retitle Executive Officer to Assistant Deputy Chief.
Retitle Assistant Deputy Chief to Platoon Chief.

d. Amend contract to reference 4 Fire Safety Officers.

e. Delete Notes **, ***, and **** in Schedule "A".

f. Amend rates in Schedule "A" by 4.0% effective January 1, 1987.

Amend rates in Schedule "A" by 1.74% effective July 1, 1987.

Amend rates in Schedule "A" by 4.0% effective January 1, 1988.

Amend rates in Schedule "A" by 1.25% effective July 1, 1988.

Signed in Hamilton this 18th day of June, 1987.

Cheryl Lowe
~~John John~~

Lawrence Stynes
W. Aitken
Ron. Brown
Gly. Whittaker

SCHEDULE "C"

Referred to in Section 5 of the Twelfth
Report of the Personnel Committee.

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mrs. Carol Alkema	Cashier	Treasury	replacing Ms. Debbie Blake - transferred	E-4	\$409.45 per week	87/07/06
Mr. Cosmo Amore	Truck Driver-Labourer (Litter Containers)	Public Works	replacing Mr. W. B. Burniston - promoted	D-7	\$11,595 per hour	87/06/15
Miss Susan Biasutti	Stenographer I	Traffic	returning to former position (temporary promotion ended)	E-5	\$391.22 per week	87/06/17
Mrs. Debbie Blake	Taxation Clerk IV	Treasury	replacing Ms. Alexandra MacKay - promoted	E-4	\$382.03 per week	87/07/06
Mrs. Crys Buchackert	Administrative Assistant II	City Clerk's (Aldermen's Office)	additional staff as approved	O	\$26,229.32 per annum	87/06/01
Mrs. Leslie Caminiti	Training Assistant	Human Resources Centre	new position	O	\$26,229.32 per annum	87/06/22
Mr. David Clinch	Yard Attendant	Public Works	replacing Mr. Paul Smith - promoted	D-11	\$12,107 per hour	87/06/15
Ms. J. D'Alessandro	Administrative Assistant III	Traffic	replacing Ms. C. Buchackert - promoted	P	\$24,348.48 per annum	87/06/17
Mr. Jeff Danby	Draftsman II	Traffic	returning to former position	A-6	\$524.03 per week	87/06/01

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Michael Derby	Asphalt Raker	Public Works	additional staff as approved	D-9	\$11.915 per hour	87/06/26
Mr. Scott Dodson	Turf General Foreman	Public Works	new position	M-3	\$36,888.80 per annum	87/06/01
Mr. William Dupont	Junior Inspection Clerk	Building	replacing Ms. Beverley Canzi - terminated	A-4	\$406.44 per week	87/06/08
Mr. Douglas Eves	Truck Driver-Labourer (Litter Containers)	Public Works	replacing Mr. B. Vukmanich - promoted	D-7	\$11.595 per hour	87/06/16
Ms. Sheila Gauthier	Typist Clerk II	Traffic	returning to former position	E-2	\$326.45 per week	87/06/17
Mrs. Deborah Geroux	Administrative Assistant IV	City Clerk's	replacing Mrs. Silvana Albano - resigned	Q	\$23,512.32 per annum	87/06/29
Mrs. Stella Glover	Legislative Assistant II	City Clerk's	additional staff as approved	N	\$29,155.36 per annum	87/06/03
Mr. Peter Gravelle	Rink Attendant	Culture and Recreation	replacing Mr. Larry Taggart - promoted	D-5	\$11.161 per hour	87/06/01
Mr. Brian Hunter	By-Law Investigator	Traffic	replacing Mr. B. Matthews - deceased	A-6	\$479.45 per week	87/06/01

Prepared 1987 July 13

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mrs. Mary-Nancy Kipp	Receipts Clerk II	Parking Authority	replacing Mrs. L. O'Neal - resigned	PA 4	\$18,100.68 per annum	87/06/03
Mrs. Carol Kolich	Cleaner	Property Mgmt. Division of Property Dept.	returning to previous position as per employee's request	C-1	\$8,205 per hour	87/05/11
Mr. Gordon Kudlowich	Equipment Mechanic II	Central Garage Division of Public Works Dept.	replacing Mr. Ralph Heastont - promoted	D-11	\$11,386 per hour	87/06/01
Mrs. Colleen Leckie	Administrative Assistant II	City Clerk's (Aldermen's Office)	additional staff as approved	O	\$26,229.32 per annum	87/06/01
Mr. Robert Martiniuk	Manager, Architectural Division	Architectural Division of Property Dept.	new position	H	\$48,906.00 per annum	87/07/06
Ms. Bonnie McKinlay	Typist Clerk II	Public Works	replacing Ms. Lise Poulin - promoted	E-2	\$326.45 per week	87/06/29
Ms. Sandra McPhee	Control Room Clerk	Parking Authority	replacing Ms. Nancy Kipp - promoted	PA 6	\$16,548.44 per annum	87/07/06
Ms. Susan Parker	Zoning Examiner & Code Correlator	Building	replacing Mr. George Taylor - retired	A-10	\$624.08 per week	87/06/29

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mrs. Lori Peddle	Legislative Assistant II	City Clerk's	replacing Mrs. Susan Reeder - promoted	N	\$31,663.32 per annum	87/06/15
Ms. Lise Poulin	Junior Cost Control Clerk	Culture and Recreation	replacing Mrs. Bertilla Agresta - resigned	A-3	\$379.13 per week	87/06/15
Mr. Thomas Prince	Truck Driver (Districts)	Public Works	replacing Mr. A. Berry - promoted	D-7	\$11,795 per hour	87/06/26
Ms. Elizabeth Sajder	Receipts Clerk II	Parking Authority	replacing Ms. Joyce Kimmins - promoted	PA4	\$18,100.68 per annum	87/06/15
Ms. Elgina Salciccioli	Typist Clerk II	Building	replacing Ms. Sandra Bourque - promoted	E-2	\$326.45 per week	87/06/15
Mr. Paul Traicoff	Lifeguard I	Culture and Recreation	replacing Mr. Vincent Ormond - promoted	CH-5	\$342.32 per week	87/04/27
Mr. George Veerman	Market Collector	City Clerk's (Market Section)	replacing Mr. Ron Cracknell - transferred	B-2	\$9,959 per hour	87/06/05
Mr. Thomas Warburton	Garbage Truck Driver	Public Works	replacing Mr. J. Laurie - promoted	D-9	\$11,402 per hour	87/06/08

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THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Ray Young	Programmer II	Treasury	additional staff as approved	A-11	\$544.80 per week	87/07/06

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mrs. Silvana Albano	Administrative Assistant IV	City Clerk's	resigned	8 years & 8 months	87/06/26
Mr. Roland Bazinet	Firefighter I	Fire	retired	35 years	87/07/01
Mrs. Margaret D'Addario	Cleaner	Property Mctc. Division of Property Department	resigned	2 years	87/06/15
Mr. Thomas Furlong	Maintenance Foreman	Cemetery Division of Public Works Department	retired	11 years & 5 months	87/07/01
Mr. Daniel Lane	Sports Groundsman	Parks Division of Public Works Department	retired	28 years & 6 months	87/06/30
Mr. John Pack	Garbage Truck Driver	Public Works	resigned	12 years & 11 months	87/06/12
Mr. Julius Szabo	Information Clerk	City Clerk's	retired	8 years & 9 months	87/06/30
Mr. Frederick Taylor	Zoning Examiner & Code Correlator	Building	retired	31 years & 1 month	87/07/31

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Salvatore Capostagno	Foreman II - Cleaning Operations (temporary)	Public Works	replacing Mr. W. Nagy - L.T.D.	12C	\$27,862.12 per annum	87/06/22
Ms. Maureen Carrington	Stenographer II (temporary)	Fire	replacing Mrs. C. Cullen - promoted	E-4	\$382.03 per week	87/06/01
Mr. M. Chandrashekar	Supervisor of Accounting (temporary)	Treasury	replacing Mr. D. King - transferred	J	\$41,486.64 per annum	87/06/01
Mrs. Cathy Collier	Lifeguard I (temporary)	Culture and Recreation	replacing Mrs. S. Davidson - maternity leave	CH-5	\$357.72 per week	87/07/02
Miss Marilyn Coy	Cost Control Clerk (temporary)	Central Garage Division of Public Works Dept.	replacing Miss L. Barker - off sick	A-7	\$449.07 per week	87/06/01
Mr. William Dupont	Building Inspector (temporary)	Building	replacing Mr. G. McManus - L.T.D.	A-12	\$565.50 per week	87/06/22
Mr. David Ferguson	Manager, Technical Services (temporary)	Culture and Recreation	replacing Mr. G. Cowles - L.T.D.	L3	\$39,500.76 per annum	87/06/01

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Ian Graham	Community Renewal Officer (temporary)	Community Development	replacing Mr. D. Dube - transferred	A-9	\$501.66 per week	87/06/08
Mrs. Jane Graham	Assistant Supervisor of Pensions (temporary)	Treasury	replacing Mrs. B. Bazinet - maternity leave	113	\$27,880.32 per annum	87/06/08
Mrs. Gayle Hamilton	Pool Supervisor (temporary)	Culture and Recreation	replacing Mrs. L. Garbett - maternity leave	N2	\$29,155.36 per annum	87/06/08
Ms. Nancy Hermiston	Lifeguard I (temporary)	Culture and Recreation	replacing Mrs. G. Hamilton - promoted	CH-5	\$357.72 per week	87/06/29
Miss Deborah Marsh	Pensions & Group Insurance Clerk (temporary)	Treasury	replacing Mrs. J. Graham - promoted	A-5	\$421.68 per week	87/07/06
Mrs. Joan Orford	Supervisor of Cleaners II (temporary)	Property Mtce. Division of Property Department	replacing Mr. C. Villeneuve - L.T.D.	0	\$26,229.32 per annum	87/06/08
Miss Stephanie Prpic	Administrative Assistant II (temporary)	City Clerk's (Aldermen's Office)	replacing Mrs. R. D'Ortenzio - maternity leave	0	\$26,229.32 per annum	87/05/25

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THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Joseph Spiller	Assistant Supervisor of Payroll Control (temporary)	Treasury	replacing Mrs. L. Wilson - promoted	O	\$26,229.32 per annum	87/07/06
Mrs. Lillian Wilson	Supervisor of Payroll (temporary)	Treasury	replacing Mr. M. Chandrashekar - promoted	N	\$31,349.76 per annum	87/06/01

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
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NO TERMINATIONS FROM TEMPORARY POSITIONS AT THIS TIME

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its Twelfth Report for 1987 and respectfully respects:

1. That a purchase order be issued to **Armoured Transport of Canada, Concord** for the transporting and storage of monies for City Hall to December 31, 1988, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, at the following prices:

Cost Per Month - \$330 00
Special Pickups - \$23.50

NOTE: Lowest of three (3) tenders received. Funds provided in Transportation of Monies Account 0323-0944.

2. That a further amount of \$760. for interest and \$240. for costs for a total of \$1 000. be paid to Sarah Carline in this matter.

A settlement in this matter was approved by City Council at its meeting on May 12, 1987 in the amount of \$29 229.77 inclusive of interest and costs regarding the claims of Mrs. Carline and her family and in the amount of \$28 913.54 for O.H.I.P.'s subrogated claim. The settlement was negotiated in December of 1986 after the pre-trial held before Judge Borkovich on December 9, 1986. However, settlement was not able to go to City Council until May 12, 1987 due to consideration of whether or not the City had to pay O.H.I.P.'s subrogated claim.

It is recommended that \$760. more in interest (4 months) be paid and \$240. more in costs be paid. Mrs. Carline's solicitor assisted us in obtaining information from O.H.I.P. and had to issue a Statement of Claim to protect his clients rights.

3. That an approved overdraft be granted to Consultants Fees - Account No. 0333-0156 of the Architectural Division of the Property Department in the sum of \$6 000 in order to provide continuing consulting services in connection with the Library/Farmers' Market lawsuit.

This approved overdraft can be financed from savings to be realized from other accounts within the overall budget of the Department.

4. That the Hamilton Municipal Retirement Fund (HMRF) Sub-Committee be reinstated as a sub-committee of the Finance Committee.

NOTE: This sub-committee, along with other sub-committees, was abolished by Section 1 (amended Exhibit AA - Subsection "J") of the Sixth Report of the Executive Committee, adopted by Council on March 12, 1987.

The HMRF Sub-Committee (a sub-committee of the Finance Committee) was created by By-law 86-237 which was approved by the Minister of Municipal Affairs. Since the Finance Committee is a Standing Committee of Council comprised only of members of Council, the Finance Committee is obliged to establish and continue an H.M.R.F. Sub-Committee and allow for employee representation on the Sub-Committee.

5. That the request for twelve (12) permanent additional staff for the Building Department, as approved by the Planning and Development Committee, June 24, 1987, be financed from the Contingency Account in the estimated amount of \$60,000, to include appropriate equipment, by including immediately four (4) positions within the 1987 Current Estimates of the Building Department, four (4) more positions to be included by the Building Commissioner as a separate expansion package within the 1988 Current Estimates and that the Region be petitioned to provide the improved lot grading service, as approved by the Planning and Development Committee July 15, 1987 at their expense which would eliminate the need for the remaining four (4) positions.

NOTE: Section 8 of the Fourteenth Report of the Planning and Development Committee makes reference to an increase in the present staff level of the Building Department and recommends that the Finance Committee recommend the method of financing.

6. (a) That the present instalment billing system for realty taxes (pre-levy instalments in February and March and levy instalments in June and September with a prepayment option in May) and business taxes (pre-levy instalment in February and a levy instalment in May) be retained by the City.
- (b) That the Treasurer give consideration to allowing taxpayers to make payments on the basis of monthly instalments in designing the new property tax system, tentatively scheduled for 1990.

7. That the estimated additional amount of \$77,144 required to cover actual and anticipated expenditures in the Solicitor's Consultants' fees Account No. 0325-0156 to the end of 1987 be financed by a transfer of \$25 000 from the Contingency Account 0378-1198 to Account No. 0325-0156 (bringing the base appropriation in 1987 for Consultants' Fees to \$45 000.), and by setting aside the balance of \$52 144 within the "allocated" section of the Contingency Account.
8.
 - (a) That the City of Hamilton support the Federation of Canadian Municipalities in their efforts and meetings with Finance Minister Wilson to protect municipal interests by objection to the transfer of taxation to local governments and property tax by the proposed imposition of a multi-stage sales tax.
 - (b) That this resolution be circulated to the Association of the Municipalities of Ontario, Provincial Ministries of Municipal Affairs and Revenue, the Honourable Michael Wilson, Minister of Finance, the Federation of Canadian Municipalities, all Local Members of Parliament and Members of the Legislative Assembly.
9.
 - (a) That the function of vehicular fleet management, involving the funding and effective use of approximately 550 vehicles (cars, vans, trucks, snow plows, etc.) operating on City and Regional roads, be approved as a pilot project which may be the beginning of a series of assignments within a comprehensive auditing program, and simply stated will provide City Council with a value for money assessment.
 - (b) That the City's Auditors, Pannell Kerr MacGillivray, Chartered Accountants, be authorized immediately to scope this fleet management subject, at their expense, in order to outline for the benefit of City Council the various matters to be investigated and the parameters of the study, with the intention of providing detailed objectives of the assignment including the time frame and from which they will be in a position to quote a fee for the entire study.
 - (c) That the Treasurer report back to the Finance Committee at the August 1987 meeting with a full recommendation on the procedure to be followed to initiate this pilot study.

10. (a) That a major overhaul of Vehicle No. 9627 "84 Ford Hi-Ranger" be approved at a cost of \$27 991.37 as recommended by Fleet Superintendent, in conjunction with the manufacturer, in compliance with the Ontario Health and Safety Act recently introduced.

The life expectancy of this vehicle will be extended by four years by doing this major overhaul.

- (b) That the cost of the major repair in the amount of \$27 991.37 be financed from the Reserve for the Replacement of Mobile Equipment Account No. 0280-01 and be added to the total cost of the vehicle for depreciation purposes.
- (c) That the Manager of Purchasing be authorized to issue a purchase order to G. C. Duke Equipment Ltd. for the above referenced parts (only available supplier).
11. That while the Ontario Municipal Board ruling (File No. A8403096) for the year 1983 and the Assessment Review Board notice of decision for the year 1984 relating to complaint No. 04-00539 clearly provide for a business assessment reduction for the Town Manor Motor Hotel (Investonics Limited) and without involving the City of Hamilton in any precedent setting action, it is recommended that the applicant be allowed appropriate realty assessment adjustment, amounting to approximately \$6 900. in realty taxes, on the grounds that it was clearly the intent of the applicant, Rein Reio, to apply for a reduction to both business and realty assessment and settlement of this matter in court may be more costly to the Corporation of the City of Hamilton.
12. That the estimated cost of \$4 300 to purchase 25 gold men's civic rings from Balfour Canada, as approved by the Legislation Committee at its meeting held July 20, 1987, be financed by a transfer from the Contingency Account 0378-1198 to the Legislation Committee budget account 0373-1001 "Civic Pins, Medals, Rings".

* 13. (a) That approval be given to the following general grants requests:

- * i) A One-Time General Grant in the amount of \$1 000 to Mahoney Minor Sports Association;
- ii) A One-Time General Grant in the amount of \$100 to Underground Production Company;
- iii) The \$5 000 grant request from the Ecumenical Committee for Latin American Refugees be referred to the Regional Social Services Committee;
- iv) A One-Time General Grant in the amount of \$ 4 000 to J.K.F. Productions to offset the costs of producing the 1987 Miss Hamilton Pageant.;
- v) A One-Time General Grant in the amount of \$1 000 to the Ambitious City Kids to offset the defecit incurred as a result of a 1986 Country and Western Show.

(b) That the Convention/Reception grant in the amount of \$100 to the Hamilton Aquatic Waterpolo Club be **approved**.

(c) That the following General Grant requests be **denied**:

- i) Second Stage requesting \$12 750 to offset the costs of providing a small performance theatre.
- ii) Week of the Child Committee requesting \$1 000 to offset the costs for special events and information publications for their memberships.

(d) That the approved grant amounts totalling \$6 200 be financed by transfers to the appropriate Grant Account No.0374-XXXX from the following:

Account No. 0374-0601 - Unallocated General Grant Funds	\$1 530
Account No. 0374-1000 - Unallocated	
Convention/Reception Grant Funds	100
Account No. 0378-1198 - Contingency	4 570
	<u>\$6 200</u>

* Section 13(a) i) amended, see page 1632

14. That the following recommendations outlined in columns 5 and 6 with respect to the Grant Appeals to the Finance Committee, resulting in an additional grant amount of \$13 200 be approved and that the additional grant funds of \$13 200 be financed by a transfer to the appropriate Grant Account 0374-XXXX from the following:

Account No. 0374-1300 - Unallocated Convention/Reception Grant Funds	\$ 300
Account No. 0373-1198 - Contingency	12 900
	<u>\$13 200</u>

Applicant/(Council Date)	Requested Amount	Previous Council Amount	Recommendation Category	Appeal Amount	Category	Difference
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Gallery of Distinction Awards (April 28)	\$5 500	\$3 700	Sunset	\$5 500	sunset	\$1 800
Hamilton Community Concert (May 12)	5 000	Denied	Traditional	3 000	trad'l	3 000
SAER International Resource Centre (May 12)	13 000	Denied		No change		
Westinghouse/Hotpoint Minor Hockey Association (April 28)	4 850	600	One-Time	1 700	One-Time	1 100
Hamilton Portuguese Band (May 12)	12 000	Denied	One-Time	2 000	One-Time	2 000
Steel City Football Association (June 23)	19 000	500	One-Time	5 000	One-Time	4 500
Unified Family Court (Convention/ Reception (March 31)	900	Denied	Convention/ Reception	300	Convention/ Reception	300
Hamilton & District Labour Council (April 28)	1 000	500	Fixed	1 000	Fixed	500
						<u>\$13 200</u>

07/28/87

15. (a) That the Innovative Housing Group, as represented by the Women's Community Cooperative Inc., be granted \$31 450 in respect of 5% Park Dedication and City Levies for the development of lands on Clapman Road as a 47 Unit Cooperative for women under an allocation conditionally approved by the Ministry of Housing and that this grant be financed from the Contingency Account 0378-1198.
- (b) That City Council convene a special meeting with representatives of C.M.H.C. and local non-profit housing groups to discuss an increase in the maximum unit price allowed for non-profit units in the City of Hamilton.
- *(c) That a copy of subsection (b) above, be forwarded to the City's representative on the Social Housing Council of Hamilton.
16. Members of City Council are advised that effective immediately, no further Grant applications will be considered by the Finance Committee as the 1987 Grant Budget is depleted.

Respectfully Submitted

Alderman P. O. Valeriano, Chairman
Finance Committee

J. Thompson
Acting Secretary
Finance Committee
1987 July 20
/dg

* Section 15(c) added during Council.

* Section 13(a) i) amended to read:

13. (a) i) A One-Time General Grant in the amount of \$2 500. to Mahoney Minor Sports Association;

REPORT OF THE SPECIAL COMMITTEE TO ADMINISTER
THE HAMILTON-SCOURGE PROJECT

To the Corporation of the City of Hamilton.

Members of Council:

The Special Committee to Administer the Hamilton-Scourge Project presents its **First** Report for 1987 and respectfully recommends:

1. That Alderman Don Ross be appointed to the Special Committee to Administer the Hamilton-Scourge Project.
- *2. (a) That the Terms of Reference for a Financial Impact Study relative to the Hamilton and Scourge appended hereto as **Schedule "A"** be approved.
- (b) That the Manager of Purchasing be authorized and directed to call for proposals.

NOTE: It is intended that the call for proposals be advertised in both the Hamilton Spectator and Globe and Mail.

The sum of \$25 000 has been provided for this Study, within the 1987 Current Budget Estimates of the Hamilton and Scourge.

Respectfully submitted,

ALDERMAN WM. McCULLOCH, CHAIRMAN
SPECIAL COMMITTEE TO ADMINISTER
THE HAMILTON-SCOURGE PROJECT

S. Glover, Acting Secretary
1987 July 24

* Recorded Vote, see page 1438

HAMILTON-SCOURGE PROJECT

Financial Impact Study

TERMS OF REFERENCE

PART 1 - BACKGROUND AND NEED FOR THE STUDY

1. Background

HAMILTON and SCOURGE are two schooners, (1) Scourge/Lord Nelson built in Canada in 1810-11, and (2) Hamilton/Diana, in the United States a year earlier. The two ships were two of a number of merchant schooners on Lake Ontario before the War of 1912, whose function was to serve the merchants who supplied transportation to the Montreal and New York forwarders and the American and Upper Canadian pioneers. The Canadian ship was seized, and the American ship requisitioned, for service in the U.S. Navy during the War of 1812. They both served in a number of major battles on the lakes —and on August 8th, 1813 capsized in a sudden line squall causing the largest single loss of life on the Great Lakes during the war.

The two ships are considered one of the major archaeological finds of the 20th century and lie, almost perfectly preserved, at a depth of 300' on the bottom of Lake Ontario, upright with their masts still stepped, cutlasses still crossed over guns still in place.

Fifty-three lives were lost in the storm; fortunately, among the 19 who survived was Ned Myers, a former shipmate of the famous American Novelist, James Fenimore Cooper. Myers' tale as told to Cooper kept alive the legend of the ships until they were rediscovered in the early 1970's by a project initiated at the Royal Ontario Museum, which had accepted temporary stewardship of the ships.

The importance of these two remarkably well preserved schooners, justifying their further investigation raising, preservation and display, may be noted for the following reasons:

- It is the world's deepest marine archaeology project.
- HAMILTON and SCOURGE are the world's best-preserved vessels - they have been immersed at 300' in 4 degree C fresh water, with negligible current, in complete darkness for over 170 years.
- They give information about the early commercial and manufacturing history of the lake in both the United States and Canada before the War of 1912. SCOURGE is particularly important; built as the schooner LORD NELSON, she is the largest and most complex non-architectural artifact made in Ontario before the war of 1812.
- They are important in the history of naval warfare, possibly providing us first-hand examples of the work of master U.S. Navy armourer Henry Eckford, famous for his design of Perry's Fleet on Lake Erie.

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- **HAMILTON** and **SCOURGE** are two material remnants, one Canadian and the other U.S., of a War which figured greatly in the preservation of Canada as an independent nation, and in the maturing of the United States as an independent republic. The loss of two more a few days later, by capture, reversed the prior U.S. control of Lake Ontario, the U.S. Navy was not able to support its troops along the Niagara Peninsula, thus ensuring the preservation of Upper Canada in Canadian hands.
- The project presents a challenge to contemporary science, ranging from archaeology through engineering to conservation science, and even to the contemporary technology of audio-visual presentation, largely because of their incredible state of preservation. **HAMILTON** and **SCOURGE** point to the possibility of far richer results to be obtained from deep fresh-water archaeology than were previously thought possible.

The project has enjoyed media attention on an international scale, including the following highlights:

- two internationally broadcast television programmes by Jacques Cousteau;
- a cover story in **National Geographic**, which reached 35 million readers; as well as Canadian Geographic both in the same month (March 1983)
- a **Reader's Digest** version of the **National Geographic** story;
- a week of the daily cartoon comic strip **Peanuts**, in which Woodstock discovered these two War of 1812 schooners, which he names in his birdbath;
- a popular illustrated book on the project, **GHOST SHIPS**, published by General Publishing (Toronto) in 1983.

The project has been administered by the City of Hamilton through the Special Committee of Council to Administer the **HAMILTON-SCOURGE** Project, Chaired by Alderman William M. McCulloch, and the Department of Culture & Recreation for the City of Hamilton, (Director, Miss Audell Schimmel)

In 1981, the City Solicitor's Department with the co-operation of the City Clerk's Department, setup the **HAMILTON** and **SCOURGE FOUNDATION INC.**, a fund-receiving body for the project. This Foundation, chaired by Alderman W. M. McCulloch, currently consists of seven members of the community. The **HAMILTON-SCOURGE SOCIETY**, a support organization, was also formed and has grown to over 200 members. Advisory Task Forces were also formed in the following areas: Engineering, History, Project Planning, Museum Planning, Conservation and Archaeology

In 1986, a Steering Committee was formed representing the City of Hamilton, Parks Canada, the Ontario Heritage Foundation and the Province of Ontario. The Committee is chaired by Dr. Jack Wade, and will oversee the activities of a Technical Study Team. The Study Team is charged with the responsibility "to determine technical requirements, timing and costs of the development of a land-based museum interpretation of the **HAMILTON** and **SCOURGE** in Hamilton.

The Technical Study Team, managed by Phillip J. Wright, Senior Archeologist - Marine Heritage, Ontario Ministry of Citizenship and Culture, includes Dave Fullerton, partner, Sherwood-Fullerton Engineering; David Gratton, Research Scientist, Canadian Conservation Institute; Robert Grenier, Head of Underwater Archeology, Parks Canada; Lorne Murdoch, Conservation Section, Parks Canada; Dr. Peter Storck, Curator, New World Archeology, Royal Ontario Museum and Gordon Watts, Director of Maritime History and Underwater Archeology, East Carolina University, North Carolina. More experts will join the team as the project progresses.

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2. Need for the Study

The need for a study arises from a number of issues that require consideration:

Tourism is a major industry in Canada and museums are a major tourist attraction. The study is needed to determine the potential drawing power of the **HAMILTON-SCOURGE** Museum and to outline the possible benefits to the community of a successful museum.

A site at Confederation Park on Lake Ontario has been selected for the **HAMILTON-SCOURGE** Museum. An Interpretation Centre (operated each summer) and a Memorial Garden have already been established on this site. Study is needed to determine the market and economic impact implications of this location.

Study is needed to determine the potential economic impact the site will have on: The City of Hamilton; The Regional Municipality of Hamilton-Wentworth; and those communities beyond the boundaries of the region (e.g. Burlington).

Local support is essential for the successful development of a museum in Hamilton. The study is needed to ascertain the level of support, both within the community at large and within the commercial and industrial sectors of the community.

The museum will be of international importance and will be of interest to special interest groups such as archaeologists, historians, conservationists, etc. Confederation Park and its Wild Waterworks already have a large attendance. Study is needed to ascertain the potential drawing power from all user groups (market segments) and to ascertain their level of support.

Understanding the market or audience to be reached will be key to the development of exhibits and programmes. Study is needed to identify programmes that can serve as on-going revenue generators and how these might be included in the museum programmes.

PART II - ASSESSMENT

- 1) The Consultant shall review all background papers and studies related to the development of the **HAMILTON-SCOURGE** Museum and its site at Confederation Park, to develop an overview of the steps already taken to investigate the concept of the museum.
- 2) The Consultant shall review the present trends in museum attendance, along with the potential market for the **HAMILTON-SCOURGE** Museum to determine the potential audience for the museum.
- 3) The Consultant shall outline the potential economic impact on: The City of Hamilton, The Regional Municipality of Hamilton-Wentworth, and those communities outside the borders of the region.
- 4) In order to ensure public participation throughout the planning process, the study should include a community survey and an analysis of potential visitors to the site, paying special attention to:
 - . origins of visitors
 - . age and interest categories

- spin-off expenditure and multiplier effects for
 - The City of Hamilton
 - Regional Municipality of Hamilton-Wentworth
 - Communities beyond the boundaries of the region
- opinions on admission prices, food services, facilities for picnics, washrooms, rest stops, etc., and plans for developments
- size and origin of potential group tours
- potential special interest groups

A commemorative stamp of the **HAMILTON-SCOURGE** has been issued on August 7, 1987. This launch will generate publicity on the project, and provide an opportunity to survey the general public while the project is in the news.

- 5) The Market Analysis should look at potential visitors to the **HAMILTON-SCOURGE** Museum. This will require the following:
 - conducting a market analysis, locally, regionally, nationally, internationally
 - comparing above with community survey
 - making recommendations for programming and marketing
- 6) The Consultant shall interview leaders of the local business, industrial and cultural community, to determine feelings about and possible financial support for the museum. The consultant will accept and consider written reports from any individuals or groups who wish to contribute.
- 7) The Consultant shall be responsible for developing any questionnaires to be used in fulfilling tasks 4-6 inclusive. Any questionnaires will be submitted to the City of Hamilton for consideration prior to their use.
- 8) The Consultant shall meet with representatives of the **HAMILTON-SCOURGE** Foundation, **HAMILTON-SCOURGE** Society staff of the City of Hamilton, Steering Committee and Technical Study Team, and any other appropriate organizations that have a particular interest in the project.
- 9) The Consultant shall list potential programmes and extension services that could be offered by the museum to meet the needs of the various audiences to be served by the museum.
- 10) The Consultant shall recommend hours of operation of the museum and admission fees, so that it will best fulfill the needs of its various audiences.
- 11) The Consultant shall outline potential sources of operating revenue including an identification of potential entrepreneurial activities for the museum for internal revenue generation.

5.

PART III - STUDY MANAGEMENT

1) Context and Constraints

The proposed study shall be focused on the **HAMILTON-SCOURGE** Museum as outlined. It must, however, consider the foregoing issues in the context of plans of the City of Hamilton and of the Steering Committee and Technical Study Team. Further, all recommendations must be consistent with relevant policies of local, provincial and federal governments.

2) Time Frame

The study will begin in the Summer of 1987 with the final report to be presented not more than four months from its commencement. The Consultant will prepare and present a work plan within ten (10) days of the acceptance of a contract which allows for one (1) interim report as well as consultations with city representatives, and the presentation of the final report to members of the **HAMILTON-SCOURGE** Project. The study must commence within thirty (30) days of the awarding of a contract.

Proposals from Consultants will be reviewed by the City of Hamilton and the Steering Committee and a contract will be awarded following this review.

3) Method

The Consultant will report to Audell Schimmel, Director of Culture & Recreation for the City of Hamilton, who will make available all existing files and data, and relevant information required to assist the Consultants in their study.

During the surveys and interviews necessary to carry out the study and interviews, the consultants are to make contact with the following:

- **HAMILTON-SCOURGE** Foundation
- **HAMILTON-SCOURGE** Society
- Hamilton Visitors' Bureau
- Chamber of Commerce
- potential users of the museum (visitors, teachers, students, researchers, community groups, special interest groups etc.)
- other museums in Hamilton-Wentworth
- other community organizations
- Ministry of Citizenship & Culture (Ontario Heritage Foundation)
- Parks Canada
- Steering Committee and Technical Study Team members

- 4) The Consultant shall be responsible for carrying out all interviews to be done to fulfill the requirements of the study.
- 5) The Consultant shall be responsible for preparing any questionnaires needed to fulfill the requirements of the study. Final approval as to the content of the questionnaires shall rest with the City of Hamilton.
- 6) The Consultant shall provide the City of Hamilton with 3 copies of an Interim Report.

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- 7) Upon completion of the study, the Consultant shall provide the City of Hamilton with 3 copies of a Draft Report. The City and Steering Committee will then have four weeks to study the draft report and to make recommendations to the Consultant concerning the report.

8) End Product

The completed study will take the form of a written report with supporting diagrams, charts, tables and appendices. Twenty copies will be required. The HAMILTON-SCOURGE Project will retain ownership of the copyright to this study. It will be officially accepted by the City of Hamilton after review and comment by city representatives and the Steering Committee.

9) Proposal Requirements

The proposal shall include the following information;

A. The Experience of the Firm

- i. A concise history of the firm
- ii. Statement of ownership
- iii. Description of projects (maximum of five) demonstrating work of a nature similar to the work requested in this proposal call. The project description given must indicate the following:
 - . a description of the scope of the project client
 - . client
 - . year completed
 - . person days expended
 - . fees received
 - . a description of the individual's role/duties of the project.
- iv. Description of projects (maximum of five) described as above, that although not necessarily of the same nature or discipline demonstrate the capabilities of the firm in undertaking projects such as the one involved here.
- v. References for projects listed in iii and iv.

B. Personnel

Curriculum vitae of each principal and professional who would be assigned to this study. The experience of each, by project, which is considered relevant to the proposed study shall be highlighted, including knowledge of financial management, cultural heritage, non-profit organizations and marketing.

C. Methodology

The methodology is to be presented in a concise manner, indicating how the firm proposes to carry out the assignment. This information will be supported by a network diagram, critical path process and the total estimated time.

- i. proposed project organization chart listing each member by name, position and associated reporting relationship.

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- ii. an activity network indicating the logical relationship between the major activities that the proposer would carry out.
- iii. a bar chart schedule listing each professional staff member by name and project position, related to the organizational chart, with an estimate of each member's time assignment to the project in person-weeks. Provide a separate and combined sum estimate to time required for the project in person-weeks for:
 - a. professional staff
 - b. technical support staff
- iv. detailed estimates of the time required to complete such main elements of the work shown in chart.
- v. details of any material, equipment and personnel requirements additional to that shown in the terms of reference.

D. Cost of Services and Related Expenses

Cost of services to be rendered shall be in accordance with requirements identified for this study by the HAMILTON-SCOURGE Project. The City of Hamilton has identified a maximum sum to be used in the preparation of this study and the consultant should consider this limitation when preparing proposal.

Cost of Personnel

- a. salary of consultants
- b. services of support staff

Travelling Expenses

transportation, accommodation and meal allowance

Office Expenses

Secretarial, telephone, computer, reproduction, etc.

Report Expenses

Printing of 20 copies for distribution

E. Proposal Evaluation

This is a competition on the basis of qualifications, experience, personnel competence, methodology proposed and the overall content of the proposal. Total cost will be a factor in the evaluation, although not sole consideration. Provision of the requested information in full, relative to the detailed Terms of Reference, will be considered fundamental to the evaluation of the proposal. The City of Hamilton makes no commitment to accept the lowest, or any proposal.

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, AUGUST 18, 1987
7:15 O'CLOCK, P.M.

CAYONHBLAOS
M21
1987

Special meeting of City Council called at the direction of His Worship
Mayor Robert Morrow.

PRESENT: Alderman J. Gallagher, Acting Mayor.

Aldermen Cooke, Agro, Valeriano, Copps, Christopherson, Wheeler,
Smith, Cowell, Murray, Ross.

His Worship Mayor Robert M. Morrow and Alderman Wm. McCulloch absent on
City business.

The Clerk read the notice calling the meeting.

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It was moved by Alderman Wheeler and seconded by Alderman Copps.

RESOLVED: that Subsection (4) of Section 2 of Procedural By-law 82-203
be suspended for this meeting. - CARRIED.

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It was moved by Alderman Wheeler and seconded by Alderman Copps.

RESOLVED: that Section 8 of Procedural By-law 82-203 be invoked for this
meeting of City Council. - CARRIED.

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It was moved by Alderman Wheeler and seconded by Alderman Copps.

RESOLVED: that the following Bill be introduced:

Bill No. A-31 - A By-law to Amend Licensing By-law No. 79-323
Respecting Flea Markets. - CARRIED.

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It was moved by Alderman Wheeler and seconded by Alderman Copps.

RESOLVED: that Bill No. A-31 be now read a first time. - CARRIED.

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URBAN MUNICIPAL

OCT 21 1987

GOVERNMENT DOCUMENTS

It was moved by Alderman Wheeler and seconded by Alderman Copps, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bill, with Alderman Cowell in the chair.

A-31 - CARRIED.

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Consideration of the Bill (second reading).

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It was moved by Alderman Wheeler and seconded by Alderman Copps.

RESOLVED: that the report of the Committee of the Whole (second reading) on the Bill be adopted. - CARRIED.

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It was moved by Alderman Wheeler and seconded by Alderman Copps.

RESOLVED: that Bill No. A-31 be now read a third time. - CARRIED.

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City Council adjourned at 7:20 o'clock p.m.

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MEETING OF HAMILTON CITY COUNCIL
TUESDAY, SEPTEMBER 1, 1987
7:30 O'CLOCK, P.M.

URBAN MUNICIPAL

NOV 17 1987

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

GOVERNMENT DOCUMENTS

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley,
Copps, Christopherson, Collins, Wheeler, Smith, Cowell,
Gallagher, Merling, Murray, Ross.

His Worship Mayor Robert M. Morrow called the meeting to order.

It was moved by Alderman McCulloch and seconded by Alderman Agro.

- WHEREAS there is in Hamilton a renewed Spirit of Enthusiasm and Pride, and
- WHEREAS that Pride is expressed in a wave of voluntary support for civic Initiatives, and
- WHEREAS the Populous has, specifically, displayed vigorous interest and activity in helping us attract the world to our Steel City, and
- WHEREAS it is desirable to welcome Visitors with Flair, Drama and Colour, and
- WHEREAS it is increasingly important that we represent the Spirit of Hamilton across the Land and Abroad, and
- WHEREAS we have among us an Organization, to wit, the Downtown Hamilton Business Improvement Area, which has expressed its interest and desire to assist in these aims and objectives
- THEREFORE This Council unanimously resolves that the said Downtown Hamilton Business Improvement Area be requested and directed to seek, find and care for an Official Hamilton Town Crier who shall
- in Splendiferous and Traditional raiment and Bearing a golden chain of office and Bearing, too, the Arms of The Corporation of the City of Hamilton and of the aforementioned BIA, be requisitioned and required:

to Greet all visitors to Hamilton,

to Cry to the Populous on matters of Great Moment,

to utter Proclamations on the public streets and thoroughfares, at Festivals and sundry gatherings,

to travel on behalf of the City and Region and to make known to the World the many and diverse attractions of the said City and Region,

therefore exhibiting Abroad the Spirit and Strength of the City and Region, and

In all other ways faithfully serve this Council, The Corporation and the Citizenry at large, and

FURTHERMORE that the said Downtown Hamilton Business Improvement Area be Requested and Directed to call upon the Citizens of Hamilton to send forth in large numbers those men and women, who, being worthy and being desirous of becoming our Town Crier and

That these Worthy Citizens do gather in Gore Park on the Third Day of October, that being a Saturday, at 11 in the forenoon, and do there Cry before Judges and DO compete for the High and Singular Honour of representing The Corporation of the City of Hamilton, and

FURTHERMORE when the said Town Crier has been chosen and suitably cloaked that he or she be required to appear before this Council, at which time there shall be presented the Town Crier's bell inscribed with the proud Shield and Armorial Bearings of The Corporation.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 17.

NAYS: 0. - CARRIED.

Civic Awards were presented to various persons who won 5-Pin Bowling Championships.

His Worship the Mayor read a Proclamation proclaiming September "Big Brother Month".

The minutes of the meeting of July 28, 1987 and the Special meeting of August 18, 1987, were taken as read and approved.

Alderman Ross, who was not in attendance at the July 28th meeting, advised the Council that he had personal interest in Section 1 of the ELEVENTH Report of the Transport and Environment Committee. He works for the purchaser of the property.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Letter from The Honourable Bernard Grandmaître, Minister of Municipal Affairs, re Program for Renewal, Improvement, Development and Economic Revitalization (PRIDE) - Application for the 1987-88 Program Year, dated July 30, 1987.
2. Letter from The Honourable Bernard Grandmaître, Minister of Municipal Services, re Bill 8, The French Language Services Act, dated July 31, 1987.
3. Application from 491719 Ontario Limited and 663921 Ontario Inc., 2349 Fairview Street, Suite 106, Burlington, Ontario, for a change in zoning, property located at 1491, 1493, 1495, 1499, 1489, 1505, 1517, 1523, 1545 Upper James Street, dated July 30, 1987.
4. Application from Hamilton Street Railway, 18 Wentworth Street North, Hamilton, Ontario, for a change in zoning, property located at 973 Queenston Road, dated July 30, 1987.
5. Application from Mr. Peter Mercanti, 447 Concession Street, Hamilton, Ontario, for a modification to the "C" District regulations for property located at 90 Alpine Avenue, dated July 30, 1987.
6. Application from Mr. My-Linh Nguyen, 137 Queen St. North, Hamilton, Ontario, for a modification to the "D/S450" District regulations for property located at 137 Queen Street North, dated August 4, 1987.
7. Application from Kathy Popovich, 166 Gainsborough Road, Hamilton, Ontario, for a modification to the "C" District regulations for property located at 166 Gainsborough Road, dated August 5, 1987.
8. Application from Mr. Antonio Mascia, 195 Country Club Drive, Hamilton, Ontario, for a modification to the "E" District regulations for property located at 270 Main Street West, dated August 7, 1987.
9. Application from Spadar Developments Inc., c/o 414 Main Street East, Hamilton, Ontario, for a change in zoning, property located on the west side of the proposed extension of Angelina Place, dated August 11, 1987.
10. Application from Hamilton General Homes (1971) Ltd., 590 Seaman Street, Stoney Creek, Ontario, for a change in zoning, property on the north side of Stone Church Road between Upper Sherman and Upper Wentworth Streets, dated August 11, 1987.

11. Application from Appleridge Estates (Hamilton) Ltd., P.O. Box 520, Winona, Ontario, for a change in zoning, property located at 613 Stone Church Road West, dated August 11, 1987.
12. Application from Dolores Breton, 56 Lilacside Drive, Hamilton, Ontario, for a modification to the "D" District regulations for property located at 56 Lilacside Drive, dated August 12, 1987.
13. Application from S. Wise Construction Limited, 189 Ottawa St. North, Hamilton, Ontario, for a change in zoning, properties located at 318 Lockheed Drive and 742 Upper Kenilworth Avenue, dated August 13, 1987.
14. Application from Chris Zolis, 102 Reno Avenue, Hamilton, Ontario, for a modification to the "C" District regulations for property located at 102 Reno Avenue, dated August 17, 1987.
15. Application from Mr. Francis J. Barnes, 2783 King Street East, Hamilton, Ontario, for a change in zoning, property located at 2783 King Street East, dated August 17, 1987.
16. Application from Eduardo Amaral c.o.b. as Happy Corner Mart, 287 Locke St. South, Hamilton, Ontario, for a modification to the "D" District regulations for property located at 287 Locke Street South.
17. Application from 660555 Ontario Limited, c/o Millan Maravich, 1184 Barton St. East, Hamilton, Ontario, for a change in zoning, property located at 1515 Upper Gage Avenue, dated August 14, 1987.
18. Application from Ardor Investments Ltd., 160 Centennial Parkway North, Hamilton, Ontario, for a change in zoning, property located at 1300 Garth Street, dated August 26, 1987.
19. Application from 496091 Ontario Inc., Pasquale Tigani and George Herbert Silcox, 55 Yarmouth Court and 416 Upper Gage Avenue, Hamilton, Ontario, for a modification to the "M-14" District regulation for property located at 1198 Stone Church Road East, dated August 27, 1987.
20. Application from Silvana Lopez, 32 Brucedale Avenue West, Hamilton, Ontario, for a change in zoning, property located at 1067 King Street West, dated August 28, 1987.
21. Letter from Mr. E. A. Simpson, City Clerk, advising objection received to By-law Number 87-177, dated August 26, 1987. NO ACTION TAKEN.
22. Letter from Mr. E. A. Simpson, City Clerk, advising objection received to By-law Number 87-186, dated August 26, 1987. NO ACTION TAKEN.
23. Letter from Mr. E. A. Simpson, City Clerk, advising objection received to By-law Number 87-188, dated August 26, 1987. NO ACTION TAKEN.

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It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that Alderman Henry Merling be appointed
Acting Mayor for the month of September,
A.D., 1987.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano,
Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell,
Gallagher, Merling, Murray, Ross. - 17.

NAYS: 0. - CARRIED.

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It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried,
that Council move into Committee of the Whole to consider the following
reports, with Alderman Merling in the chair.

* * * * *

(A) EXECUTIVE COMMITTEE - SIXTEENTH REPORT.

It was moved by Alderman Wheeler and seconded by Alderman Collins.

RESOLVED: that Section 14 of the SIXTEENTH Report of the
Executive Committee be referred back to convene
a meeting and invite all Members of Council.

- CARRIED.

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It was moved by Alderman Collins and seconded by Alderman Hinkley.

RESOLVED: that the following be added as Section 19 to the
SIXTEENTH Report of the Executive Committee:

"19. That the photograph of the City of Hamilton,
as seen from Sam Lawrence Park by photographer
David Gruggen, be sent to the F.C.M. Salute to
Canadian Municipalities at the Calgary '88 Olympic
display." - CARRIED.

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(B) TRANSPORT AND ENVIRONMENT COMMITTEE - TWELFTH REPORT.

It was moved by Alderman Hinkley and seconded by Alderman Valeriano.

RESOLVED: that the sixth paragraph of the "Sidewalks, Driveways and Foundations" section of the Horticultural Policies referred to in sub-section (b) of Section 3 of the TWELFTH Report of the Transport and Environment Committee be amended so as to read as follows:

"The accepted solution will be a negotiated cost-sharing arrangement with the City and the property owners. When the Horticulturist deems that the removal of the tree is the desired solution to the problem, the City will pay 100% for the tree removal and necessary repair to the property."

YEAS: Aldermen Kiss, Agro, Valeriano, Hinkley, Collins. - 5.

NAYS: Mayor Morrow; Aldermen Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 10. LOST.

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It was moved by Alderman Murray and seconded by Alderman Ross.

RESOLVED: that Sub-section (d) of Section 12 of the TWELFTH Report of the Transport and Environment Committee be amended by adding the following:

"and that the Subdivider be required to provide a public walkway from Megna Court to Upper Paradise Road." - CARRIED.

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(C) PARKS AND RECREATION COMMITTEE - FOURTEENTH REPORT.

Recorded vote on Section 6.

YEAS: Mayor Morrow; Aldermen Kiss, Valeriano, Copps, Christopherson, Collins, Wheeler, Smith, Merling, Ross. - 10.

NAYS: Alderman Murray. - 1. CARRIED.

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(C) PARKS AND RECREATION COMMITTEE - FIFTEENTH REPORT.

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(D) PLANNING AND DEVELOPMENT COMMITTEE - SIXTEENTH REPORT.

It was moved by Alderman Collins and seconded by Alderman Wheeler.

RESOLVED: that Section 1 of the SIXTEENTH Report of the Planning and Development Committee be referred back to consider a modification of the existing zoning to permit the use of a family-type restaurant.

- CARRIED.

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It was moved by Alderman Kiss and seconded by Alderman Copps.

RESOLVED: that Section 6 of the SIXTEENTH Report of the Planning and Development Committee be referred back. - CARRIED.

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It was moved by Alderman Wheeler and seconded by Alderman Gallagher.

RESOLVED: that Section 12 of the SIXTEENTH Report of the Planning and Development Committee be amended by deleting sub-section (a), and inserting in lieu thereof the following:

"(a) That the City of Hamilton approve the street name change of Burlington Street from Wellington Street, east to the eastern City limits, to Industrial Drive.";

and that the "NOTE" following sub-section (b) be deleted. - CARRIED.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Murray, Ross. - 16.

NAYS: Alderman Merling. - 1. CARRIED.

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(E) LEGISLATION COMMITTEE - TWELFTH REPORT.

Recorded vote on Section 9.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Copps. - 1. CARRIED.

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Recorded vote on Section 14.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Copps. - 1. CARRIED.

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It was moved by Alderman Christopherson and seconded by Alderman Agro.

RESOLVED: that Rule Number 8 of The Procedural By-law be invoked for this meeting of City Council, in order to permit consideration of a resolution endorsing the position taken by the Union of Unemployed Workers respecting benefit levels for the poor.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley, Copps, Christopherson, Collins. - 8.

NAYS: Aldermen McCulloch, Valeriano, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 9. LOST.

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(E) LEGISLATION COMMITTEE - THIRTEENTH REPORT.

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It was moved by Alderman Valeriano and seconded by Alderman Wheeler.

RESOLVED: that Section 12 of the ELEVENTH Report of the Legislation Committee, which was defeated by City Council at its meeting held Tuesday, July 28, 1987,

be re-considered.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Valeriano, Copps, Collins, Wheeler, Cowell. - 9.

NAYS: Aldermen McCulloch, Hinkley, Christopherson, Smith, Gallagher, Merling, Murray, Ross. - 8. - CARRIED.

* * * * *

It was moved by Alderman Valeriano and seconded by Alderman Cowell.

RESOLVED: that Clause 12 of the ELEVENTH Report of the Legislation Committee be now adopted:

"12. (a) That the City of Hamilton be divided into 12 Wards as outlined on the attached map, marked as Schedule "B".

(b) That the City Solicitor be authorized and directed to prepare the appropriate By-law.

YEAS: Mayor Morrow; Aldermen Agro, Valeriano, Collins, Wheeler, Cowell, Ross. - 7.

NAYS: Aldermen Cooke, Kiss, McCulloch, Hinkley, Copps, Christopherson, Smith, Gallagher, Merling, Murray. - 10. LOST.

* * * * *

(F) PERSONNEL COMMITTEE - THIRTEENTH REPORT.

It was moved by Alderman Christopherson and seconded by Alderman Ross.

RESOLVED: that Section 6 of the THIRTEENTH Report of the Personnel Committee be referred back, and that Mr. Eker be invited to meet with the Committee on this matter. - CARRIED.

* * * * *

(G) FINANCE COMMITTEE - THIRTEENTH REPORT.

Recorded vote on Section 3.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Valeriano,
Hinkley, Copps, Christopherson, Wheeler. - 9.

NAYS: Aldermen Smith, Gallagher, Merling, Murray, Ross. - 5. CARRIED.

* * * * *

His Worship the Mayor declared personal interest in, took no part
in the debate, and refrained from voting on Section 4 of the
THIRTEENTH Report of the Finance Committee, as his parents' estate
is on Ravenscliffe Avenue.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Valeriano.

RESOLVED: that Section 10 of the THIRTEENTH Report of the
Finance Committee be referred back.

* * * * *

(G) FINANCE COMMITTEE - FOURTEENTH REPORT.

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(H) MAYOR'S RACE RELATIONS COMMITTEE - FOURTH REPORT.

* * * * *

(I) HAMILTON-SCOURGE SPECIAL COMMITTEE - SECOND REPORT.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the Report of the Committee of the Whole on the above
reports, as amended, and resolutions, be adopted. - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Christopherson.

WHEREAS five members of City Council have announced an intention to seek office in the up-coming Provincial Election, and

WHEREAS this could result in up to four seats on City Council being declared vacant, and

WHEREAS the Municipal Act allows for the provision of either a by-election or an appointment to fill such vacancies, and

WHEREAS a by-election is the most democratically acceptable means of doing so,

THEREFORE BE IT RESOLVED that City Council state its intention to hold by-elections to fill any Council vacancies that occur in 1987.

It was moved by Alderman Gallagher and seconded by Alderman Ross.

RESOLVED: that the Motion moved by Alderman Cooke to provide for by-elections, if vacancies occur on City Council as a result of the September 10, 1987, Provincial Election, be amended by adding the following:

"and that the by-election(s) be held
Tuesday, November 17, 1987."

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 17.

NAYS: 0. - CARRIED.

Recorded vote on Motion, as amended.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Copps, Christopherson, Collins, Smith, Gallagher, Murray, Ross. - 11.

NAYS: Aldermen Agro, McCulloch, Valeriano, Wheeler, Cowell. - 5. CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a first time.

A-31, A-32, A-33, A-34,
B-67, B-68, B-69, B-70, B-71, B-72,
C-4,
D-105, D-106, D-107, D-108, D-109, D-110, D-111, D-112,
E-13, E-14, E-15,
F-4 - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Merling in the chair.

A-31, A-32, A-33, A-34,
B-67, B-68, B-69, B-70, B-71, B-72,
C-4,
D-105, D-106, D-107, D-108, D-109, D-110, D-111, D-112,
E-13, E-14, E-15,
F-4 - CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith

RESOLVED: that the report of the Committee of the Whole (second reading) on the Bills be adopted. - CARRIED.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a third time.

A-31, A-32, A-33, A-34,
B-67, B-68, B-69, B-70, B-71, B-72,
C-4,
D-105, D-106, D-107, D-108, D-109, D-110, D-111, D-112,
E-13, E-14, E-15,
F-4 - CARRIED.

* * * * *

City Council adjourned at 10:45 o'clock p.m.

* * * * *

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its **SIXTEENTH** Report for 1987 and respectfully recommends:

1. (a) That the Downtown Hamilton Action Plan, Canadian Imperial Bank of Commerce, Streetscape Improvements, be proceeded with at an estimated gross cost of Eighty Thousand Dollars (\$80 000).
- (b) That the cost of constructing these Streetscape Improvements be financed from the 1987 Capital Levy, Account No. 0376-0298.

NOTE: The Planning and Development Committee approved this item at their meeting held August 12, 1987.

On February 11, 1986, City Council adopted the Fourth Report of the Planning and Development Committee, recommending that a similar streetscape design to that utilized in Phase II of the Downtown Action Plan be extended on James Street South and King Street West around the perimeter of the Bank of Commerce tower. Telesis Development Corporation (Dover Park Development) is carrying out these improvements on a cost sharing basis with the City. The City's share, as approved in the Capital Budget, is \$80 000.

Also included in the 1986 February 11 report is the recommendation to continue these improvements along King Street West from the western limit of the Phase I building to MacNab Street at such time as the Phase II building is erected.

2. (a) That the **Option to Purchase 1556 Upper Gage Avenue** between the City of Hamilton and **Victor and Irene Cregg** be terminated.
- (b) That Item 6 of the Twenty Fourth Report of the Executive Committee as approved by City Council at meeting held November 11, 1986 **be rescinded**.

NOTE: Subsequent to the November 11, 1986, City Council authorized the City to attempt to obtain from Mr. and Mrs. Cregg a six month extension of the closing date being March 30, 1987. Mr. and Mrs. Cregg considered our request for an extension, however, they chose to enter into a purchase agreement with another party.

In view of the above, the City has no alternative but to terminate the agreement of purchase.

3. That an **Option to Purchase** the property known as **75 Wentworth Street North** duly executed by The Board of Education for the City of Hamilton on July 21, 1987 and scheduled for closing on or before September 9th, 1987, be approved and completed.

NOTE: This property is required for the Municipal Non-Profit (Hamilton) Housing Corporation.

The Purchase price is \$167 500 and is to be charged to Account 0280-02.

The property is composed of Lots 9 to 18 and part of Lot 19 and 20, Block "A" on Registered Plan 216. The said irregular shaped property having a frontage along the western limit of Wentworth Street North of 249 feet (75.89 metres) more or less by a depth of 346.9 feet (105.73) more or less and containing an area of 1.79 acres (.724 hectares) more or less together with all structures erected thereon bearing the Municipal address of 75 Wentworth Street north known as Wentworth Street School.

It is understood and agreed that this Option to Purchase is conditional upon:

The Purchaser acknowledges and agrees that the premises are sold on an "as is" basis and acknowledges that the Vendor makes no warranties whatsoever as to the state of repair of the premises, now or on the date fixed for completion.

It is agreed between the parties that if this Option is accepted by the Purchaser, then on the closing of the transaction the Agreement between The Corporation of the City of Hamilton and the Owner with respect to the playground located on the subject lands, shall merge with the closing of the transaction and the Owner shall have no further obligations or liabilities under the Agreement, or in the alternative, the Purchaser will be bound by the terms of the Agreement and will covenant and agree to indemnify and hold harmless the Owner from any liability whatsoever under the Agreement.

- (a) It is understood between the parties that this Option replaces an Option Agreement dated July 3rd, 1986 between the Board of Education for the City of Hamilton, and Municipal Non Profit (Hamilton) Housing Corporation and upon acceptance of this Option, the Agreement dated July 3rd, 1986 between the Board of Education for the City of Hamilton and said Municipal Non-Profit (Hamilton) Housing Corporation shall become null and void and the City shall arrange for execution and delivery to the owner of a Release from Municipal Non Profit (Hamilton) Housing Corporation.

(b) It is also understood and agreed between the parties that if the contract arising from the acceptance of this Option is not completed on or before September 9th, 1987, it shall, at the option of the Owner become null and void and the Owner shall be free to sell the property to a third party.

4. That the account of Martin and Martin, Barristers and Solicitors, in the sum of \$4 510.96 for services rendered on behalf of the City in connection with the Hamilton Eaton Centre Project be approved for payment and financed from Account No. 0280-02 - Reserve for Property Purchases.
5. That the City's matching share of \$2 500 for the Sherwood Heights School Playground Equipment Project be financed from Account No. 0280-11 - Reserve for Acquisition of Properties Under The Planning Act.

NOTE: The Parks and Recreation Committee approved this Project at their meeting held August 18, 1987 and is referred to in Item Fifteen of the Fourteenth Report of the Parks and Recreation Committee.

6. That an amount of \$5 000 be provided for the hosting of the 1988 Ontario Arena Managers Association Conference in Hamilton, June 2 - 5, 1988, during which time approximately 400 - 500 delegates will be in attendance and that this expenditure be financed from Account No. 0370-0263 - "Hosting Conferences with Municipal Subject Content".
7. That the cost of financing Central Public School Playground Equipment at a gross amount of \$5 000 be financed from the Reserve for the Acquisition of Properties under The Planning Act, Account 0280-11, and set up in Account No. 0408-4519.

NOTE: This item was approved by the Parks and Recreation Committee on August 18, 1987 and is referred to in Item 9 of the Fourteenth Report of the Parks and Recreation Committee.

8. That the additional \$14 000 required to complete the financing of the increased cost of the King's Forest Golf Cart Storage Building be financed by the funds available in Account 0411-C1625 in the amount of \$10 500 which was allocated for this purpose, and the remaining \$3 500 from the Capital Levy Account No. 0376-0298.

NOTE: The Parks and Recreation Committee approved this item at their meeting held August 18, 1987 and is referred to in Item 14 of the Fourteenth Report of the Parks and Recreation Committee.

9. That approval be given to the request of the Head-of-the-Lake Historical Society for permission to proceed to investigate the possibility of incorporating the 1890 City Hall Clock and its Bell into the new Hamilton Eaton Centre - Cadillac Fairview Project on James Street North.

NOTE: For the information of the Members of City Council, Cadillac Fairview is informally considering the proposal of the Head-of-the-Lake Historical Society and attempting to develop a design for incorporation of the Old City Hall Clock and Bell in the new Eaton's Development in such a manner as to very closely represent the original setting and structure. Endorsement of this proposed Project does not represent any financial commitment or participation on the part of the City.

10. That approval be given to the selection of the City of Hamilton as the proposed site of the Canadian Country Music Hall of Fame.

NOTE: The City of Hamilton was recently proclaimed "Canada's Country Music Capital" due to the excellent programs and promotions of Radio Station 820 CHAM which is committed to Canadian Country Music. Approval of the location of the Canadian Country Music Hall of Fame in Hamilton will not involve any financial participation by the City.

11. That the report from the Association of Municipalities of Ontario - Model of Collective Bargaining and Required Amendments for the Fire Department be received.

NOTE: A resolution of a similar nature has been received by the Legislation and Reception Committee from the Region of Peel related to the Regional Chairman's brief on Compulsory Arbitration. The Legislation and Reception Committee has tabled the brief pending representation by the affected union and associations.

12. (a) That Benyei Associates Human Resources Consultant TORONTO Ontario be appointed to conduct the Organizational Study for the Culture and Recreation Department at a cost of \$13 000.

(b) That this expenditure be charged to Account No. 0370-1061
- "Other Consultants".

13. That the Hamilton Public Library be requested to provide a report outlining the studies and actions necessary for the development of a City Archive.

- * 14. (a) That, effective July 1, 1987 the benefit package for the Management Group (Salary Levels "A" to "Q") be modified as follows:
- (i) The Dental Plan be amended to provide 80% co-insurance (previously 50%).
- (b) That, effective January 1, 1988 the vacation schedule for the Executive Management Group (Salary Levels "A" to "F") be modified as follows:
- (i) 1 year of service - 4 weeks vacation
 - (ii) 9 years of service - 5 weeks vacation
 - (iii) 17 years of service - 6 weeks vacation
 - (iv) 20 years of service - 6 weeks and 1 day vacation
 - (v) 21 years of service - 6 weeks and 2 days vacation
 - (vi) 22 years of service - 6 weeks and 3 days vacation
 - (vii) 23 years of service - 6 weeks and 4 days vacation
 - (viii) 25 years of service - 7 weeks of vacation
- (c) That, effective January 1, 1988 the vacation schedule for the Supervisory (Union Exempt) Group (Salary Levels "G" to "Q") be modified as follows:
- (i) 1 year of service - 3 weeks vacation
 - (ii) 3 years of service - 4 weeks vacation
 - (iii) 9 years of service - 5 weeks vacation
 - (iv) 17 years of service - 6 weeks
 - (v) 20 years of service - 6 weeks and 1 day vacation
 - (vi) 21 years of service - 6 weeks and 2 days vacation
 - (vii) 22 years of service - 6 weeks and 3 days vacation
 - (viii) 23 years of service - 6 weeks and 4 days of vacation
 - (ix) 25 years of service - 7 weeks vacation
- (d) That at least 2 weeks of the vacation time must be taken as a block of time. The remaining portion of the vacation can be taken as determined between the supervisor and employee.
- (e) That the carry-over provisions be as follows:
- (i) Unused vacation time at the end of a calendar year may be carried forward for one year. Vacation carried forward which has not been taken by December 31st is to be paid out at the salary rate of the preceding December 31st.

* Section 14 Referred Back

- (f) (i) That the Overtime Policy be as follows:

Levels A - K - It is recognized that the functions performed by positions in the A - K range are not only performed between 9 and 5 Monday to Friday. In recognition of this fact a week (5 working days) of time off is to be granted to the employees in this group.

Levels L - Q - Employees in this group earn overtime at time and one-half where overtime is specifically authorized or directed by the Department Head. Such overtime shall, where possible, be taken as compensating time. Should such time not be able to be taken, the Department Head shall recommend to the Commissioner of Human Resources and the Chief Administrative Officer that payment be made.

Overtime banks should be cleared annually and when an employee changes classifications or departments.

- (ii) Where positions have travelling included as part of the job function, the travel time shall not be considered as overtime. Entitlement to overtime may occur as a result of the performance of work while travelling. Free time during the travel period, however, must also be recognized.

15. (a) That, in respect of the Copps Coliseum, the City Solicitor be authorized and directed to make application for payment into Court of the monies owing to Pigott equal to the claims of any Sub Contractors, pursuant to the Contract between Pigott and the City dated July 20, 1982.
- (b) That, in the event the existing amount owing to Pigott is less than the amount of the claims of the Sub Contractors and further monies become owing to Pigott pursuant to the said contract and the existing claims of any Sub Contractors remain outstanding, the City Solicitor be further authorized to make application for payment into Court of the additional monies owing to Pigott up to the amount of any Sub-Contractors claims.
- (c) Any amounts to be paid into Court shall be less ten percent (10%) to be withheld by the City as Finishing Holdback pursuant to The Construction Lien Act.

NOTE: Pursuant to the Contract between Pigott and the City dated July 20, 1982, the City is entitled to withhold from any payments to Pigott, such amounts as the City deems necessary for its protection in respect of any potential claims, costs, damages, loss, etc., (for example, see Ham. Form 200A, paragraph .06.02), these are the provisions pursuant to which the City has been withholding payments from Pigott pending repair of the defective piping. These provisions also apply where litigation is pending. In this regard, the City Solicitor has advised that one of the sub-contractors (Canal Contractors) and its sub-contractor (Engineered Sound) have commenced legal proceedings in respect of this project.

In addition, the monies being withheld by the City are "Trust Monies" pursuant to The Construction Lien Act. Accordingly, the City Solicitor is recommending payment into Court in order that the Court may determine which parties are entitled to the monies without further involvement of the City in litigation proceedings.

The amount being claimed by the Sub Contractors is \$675 052.33. The current confirmed amount owing to Pigott is \$413 688.

However, further amounts yet to be billed by Pigott and confirmed by the City's Consulting Architect will be owing to Pigott.

16. That a purchase order be issued to **Business Interiors (Ontario) Inc., Burlington, Ontario** in the amount of \$20 450 plus 7% Provincial Tax, for the supply, delivery and installation of workstations for the Aldermen's Secretaries in accordance with specifications issued by the Manager of Purchasing and Vendor's proposal.

As the delivery time for this furniture will be several weeks, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council.

NOTE: Lowest of nine (9) proposals received. Funds provided in Capital Budget Account No. 0408X7527 Computer Work Station Furniture (\$3 132.28) and Reserve for Capital Projects Account No. 0280-27 (\$18 700).

17. That the City Clerk inform the Clerk of the Regional Municipality of Hamilton-Wentworth that the City of Hamilton hereby requests the Regional Municipality of Hamilton-Wentworth to enact a By-law, requesting the Minister of Municipal Affairs to initiate the procedure, to annex a portion of the City of Stoney Creek situated west of Highway No. 23, south of King Street and north of the escarpment, to the jurisdiction of the City of Hamilton.

NOTE: The City of Stoney Creek has requested Regional Council to enact a by-law requesting the Minister of Municipal Affairs to initiate annexation proceedings for a small, one hectare (3.5 acres) parcel of land adjacent to the Gershome Neighbourhood. In order for Regional Council to proceed, a similar request from the City of Hamilton is required.

18. That leave be granted to introduce the following bills:
- (a) A By-law to Authorize the Continued Development to the Mohawk Sports Park Community Recreation Centre to Provide Office, Lunch Room, Shower and Washrooms, Storage and Vehicle Bays for Storage, Servicing and Minor Repairs.
 - (b) A By-law to Authorize Improvements Under the Corktown/Stinson Ontario Neighbourhood Improvement Programme.
 - (c) A By-law to Authorize Certain Improvements in the Present and Future Business Improvement Areas Under the Commercial Improvement Programme.
 - (d) A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.
- *19. That the photograph of the City of Hamilton as seen from Sam Lawrence Park by photographer David Gruggen, be sent to the "F.C.M. Salute to Canadian Municipalities at the Calgary '88 Olympic display".

Respectfully Submitted

Mayor R. M. Morrow, Chairman
Executive Committee

John Thompson, Acting Secretary
Executive Committee

1987 August 27
/da

* Section 19 added during Council

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Transport and Environment Committee presents its **TWELFTH** Report for 1987 and respectfully recommends:

1. (a) That the City Solicitor and City Clerk be authorized and directed to initiate procedures pursuant to the Expropriations Act to acquire the 641.72 square metres (7 068.3 square feet) of land, described as Part 1 & Part 2 on Reference Plan 62R-8912, to extend Greenhill Avenue approximately 50 metres southerly to National Drive in the proposed Nash Orchard Heights West, Plan of Subdivision.
- (b) That the Director of Property be authorized to retain an independent fee appraiser to prepare an estimate of market value suitable for service pursuant to Section 25 of the Expropriations Act.
- (c) That all costs relating to the expropriation of these lands be charged to account number 0280-02.
2. (a) That a purchase order be issued to Rantex Brushes, Barrie in the amount of \$20 600.18 including applicable taxes, for the supply of broom stock for street sweepers, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Only supplier to meet specifications. Four tender documents sent out. Funds provided in Operating Account 0348-0267.

- (b) That a purchase order be issued to Allan Fyfe Equipment, Toronto in the amount of \$21 808.74 including applicable taxes, for the supply and delivery of 3 post drivers, pullers and power units, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Only tender received of nine sent out. Funds provided in the Operating Equipment Account 0345-0475.

- * 3. (a) That the proposed tree By-law, appended hereto as Appendix "A", be approved and that the solicitor be authorized and directed to finalize the By-law.

- (b) That the proposed Horticultural Policies, appended hereto as Appendix "B", be approved and that the Solicitor be authorized and directed to finalize the policies.

NOTE: Funding for the various aspects of the Tree By-laws and policies is available in account no. 0350-8219 Sewer Clean-out Account.

Should these funds prove to be inadequate to cover the costs arising from the tree By-laws and policies, alternate funding will be required for the remainder of 1987.

Funding for the Tree By-laws and Policies will be included in the 1988 Public Works Budget Recommendation.

4. (a) That the action by Mr. Slavko Grguric Plaintiff against The Corporation of the City of Hamilton and George Green, Defendant, be dismissed with each party to pay their own costs.
- (b) That the costs of \$3 599.30 incurred by Mr. Green in retaining Zimmerman & Associates be paid by the Corporation of the City of Hamilton.

5. That the following apartment building be added to the collection of compacted waste service provided by the City of Hamilton, subject to compaction facilities being installed and operational:

132 Gailmont Drive (51 units)

6. That the "YMCA Roadrunners" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from November 16, 1987, to November 23, 1987, subject to the policy guidelines and conditions approved by Council on October 29, 1985, and September 30, 1986, with the following message:

"Welcome to the Steeler Mile"

- * Proposed Amendment lost,
Recorded Vote, see page 1649

7. (a) That consideration be given to include a provision in the 1988 Current Budget - Railway Specific Maintenance for \$77 900 to cover the installation of automatic protection and \$3 700 for Railway General Maintenance for the future level crossing at Greenhill Avenue and the T.H. & B. Railway
- (b) That the Canadian Transport Commission be advised that the City will pay 100% of the installation and maintenance costs of the proposed automatic protection and crossing surface.

NOTE: The Transport and Environment Committee is requesting that the Executive Committee consider including a provision in the 1988 Capital Budget for \$320 000 to cover the cost of a finished roadway, curbs and sidewalk on Greenhill Avenue and the T.H. & B. Railway.

8. That the application of Gary L. Waxman, Solicitor, on behalf of the present owner(s) of 109 Shaw Street, Ronald Boucher, to retain the following inadvertent encroachment consisting of a concrete stoop and steps, 0.57m by 2.35m, be approved during the pleasure of City Council, provided:
 - (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
9. That the application of Mark A. Dudzic, Solicitor, on behalf of the present owner(s) of 415 King William Street, Michael Lalonde and Sharon Lalonde, to retain the following inadvertent encroachments consisting of:
 - i. on the first floor, an open wooden verandah and steps measuring 0.23m by 4.2m
 - ii. on the second floor, an open wooden verandah measuring 0.23m by 3.29mbe approved during the pleasure of City Council, provided:

- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
10. That the application of Michael Hinchey, Solicitor, on behalf of the present owner(s) of 26 Hunt Street, Antoanett Tingarov, to retain the following inadvertent encroachment consisting of an open roofed front porch 0.21m by 1.82m, and steps 0.82m by 1.16m be approved during the pleasure of City Council, provided:
- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$46 and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
11. That the application of N. J. Zaffiro, Solicitor, on behalf of the present owner(s) of 57 Murray Street East, Salvatore DeLucia and Orsola DeLucia, or in the event that the sale of the above property is concluded prior to registration of the encroachment agreement, Andrew Johnson and Fitzroy John, the purchasers of said property, to retain the following inadvertent encroachment consisting of a porch and steps of 0.47m by 4.68m, be approved during the pleasure of City Council, provided:
- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

12. (a) That the City Solicitor be directed to prepare a By-law for the stopping-up and closing of the temporary access from the east end of Megna Court to Upper Paradise Road pursuant to Sections 298 (1) (c) of the Municipal Act R.S.O. 1980; and
 - (b) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980 of City Council's intention to pass the By-law; and
 - (c) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing pursuant to Bill 155; and
 - * (d) That the Subdivider of Paradise Village Subdivision be responsible, at his cost, for the removal of the temporary access road, final installation of the curb and sidewalk at the end of the cul-de-sac, installation of trees and armour rock at the end of the cul-de-sac and installation of the sidewalk on Upper Paradise Road at the location of the temporary roadway.
-
13. That the request of the MacNab Street WCA to temporarily close MacNab Street, from Jackson Street to Hunter Street, from 11:00 a.m. to 3:00 p.m. on Wednesday, September 9, 1987, be approved subject to the following conditions:
 - (a) That the applicant provide proof of \$1 000 000 public liability insurance, naming the City as an added insured party with a provision for cross liability and holding the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That the applicant reimburse the Regional Police, and Department of Public Works, for any extra costs incurred by these agencies;
 - (c) That no property owner or resident within the barricaded area will be denied access to their property upon request.
 - (d) That the applicant receive "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control, will be subject to the direction of the Regional Police Department, and at the expense of the organizing group;
 - (e) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the roads, at no cost to the City.

* Section 12(d) Amended
See Page 1676

14. (a) That Hamilton Hydro be directed to upgrade the lighting on St. Matthews Avenue between Barton Street and Birge Street and on Birge Street between Cheever Street and Oak Avenue by replacing the existing mercury vapour lamps with high pressure sodium fixtures.
- (b) That the cost of this work, estimated at \$3 300 be financed from the 1987 Street Lighting Budget - Allowance for Spot Improvements.
15. (a) That the Region's lighting proposal to install 12 low-level light poles, custom-made to match the original design, on the York Boulevard High Level Bridge, be endorsed.
- (b) That the refurbishing and installation of 12 ornamental lanterns in their original locations be endorsed.
16. (a) That the pipeline agreement along Stapleton Avenue, Burlington Street, Beach Road and Parkdale Avenue, between 123627 Canada Inc., and The Corporation of the City of Hamilton, and The Regional Municipality of Hamilton-Wentworth, and Petro-Canada Inc., and Petro-Canada Enterprises Inc. registered as Instrument No. 277563 C.D. be discharged, subject to the satisfaction of the City Solicitor and the Commissioner of Engineering.
- (b) That the appropriate City signing officials be authorized to execute the documents in relation to this discharge.
- (c) That the City Treasurer be notified of this discharge.
- (d) That the Regional Solicitor be notified of this resolution.
17. (a) That the City Solicitor be authorized and directed to make an application to a District Court Judge under Section 82 of the Registry Act R.S.O. 1980, for an order to stop-up and close the "North-South alley between Wentworth Street and Ashley Street from the 1st alley south of Cannon Street to the 2nd alley south of Cannon Street;
- (b) That the Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the alley to be closed.

- (c) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth, for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act.
 - (d) That the Regional Surveyor be authorized to prepare an appropriate reference plan to accompany the By-law.
18. (a) That the City Solicitor be directed to prepare a By-law for the stopping-up, closing, and sale to the respective abutting owners, of 48 Laird Drive, 52 Laird Drive, 63 Locheed Drive and 59 Locheed Drive, at a cost to the abutting owners of \$1 plus survey and legal fees, of the public walkway in Lisgar Neighbourhood between Laird Drive and Locheed Drive;
- (b) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980, of City Council's intention to pass the By-law;
- (c) That the Director of Real Estate be directed to proceed with the disposition of the said lands to the abutting owners;
- (d) That the applicant register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor and to delineate the manner in which the closed lands are to be distributed to the abutting owner(s), and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor.

NOTE: The City will remove the concrete walkway and replace with topsoil at no additional cost to the abutting owners.

19. That the parking prohibition on the east side of Riverdale Drive between Glenburn Court and Queenston Road be retained.
20. (a) That the existing "Commercial Vehicle Loading Zone, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of George Street commencing at a point 56 feet east of Hess Street South and extending to a point 22 feet easterly therefrom be replaced with a two hour metered parking space; and,
- (b) That the City Traffic By-law 66-100 be amended accordingly.

21. (a) That a permit parking regulation be implemented on the south side of Forest Avenue between Ferguson Avenue South and Aurora Street; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit, upon request, to one resident of each of the seven residential properties abutting the block, and any additional permits (maximum of 11) on a first come first served basis; and
- (c) That the City Traffic By-Law 66-100 be amended accordingly.
22. (a) That a "Permit Parking" regulation be implemented on the east side of Ferguson Avenue South between Forest Avenue and Charlton Avenue; and,
- (b) That a "Permit Parking" regulation be implemented on the west side of Ferguson Avenue South between Forest Avenue and a point 150 feet southerly therefrom; and,
- (c) That the Director of Traffic Services be authorized to issue one parking permit upon request, to one resident of each of the 13 abutting residential properties, and any additional permits (to the maximum of 16) on a first come first served basis; and,
- (d) That the City Traffic By-Law 66-100 be amended accordingly.
23. (a) That three-way stop control be implemented at the intersection of Clifton Downs Road and Abbington Drive; and,
- (b) That a four-way stop control be implemented at the intersection of Stinson Street and Erie Avenue.
- (c) That westbound traffic on Kingswood Drive be required to stop for northbound and southbound traffic on Glen Vista Drive; and,
- (d) That eastbound and westbound traffic on Mons Street be required to stop for northbound and southbound traffic on Avondale Street; and,
- (e) That stop signs be erected to control eastbound and westbound traffic on Crockett Street at East 22nd Street and East 24th Street, such that these intersections are controlled by four-way stops; and,

- (f) That northbound traffic on Allison Crescent be required to stop for eastbound and westbound traffic on Lister Avenue; and,
 - (g) That westbound traffic on Novoco Drive be required to stop for northbound and southbound traffic on Guildwood Drive; and,
 - (h) That eastbound traffic on Venetian Drive be required to stop for northbound and southbound traffic on Golfwood Drive; and;
 - (i) That the City Traffic By-Law 66-100 be amended accordingly.
24. (a) That the application by the North End Children's Centre to lease a portion of the boulevard on Hillyard in front of No. 75 Hillyard Street be approved, provided that:
- i. The applicant pays the annual fee in accordance with the fee structure approved by City Council on 1986 March 25 (current rate is \$50 per year) plus taxes, if any, in addition to the \$10 annual encroachment insurance charge approved by the City Council on 1984 February 14.
 - ii. The owner pays a one time \$25 registration fee, as approved by City Council, on 1986 January 14.
 - iii. The owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.
 - iv. The driveway approach, parking area, and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - v. The owner executes an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (o) That the application by Dr. E. Graham to lease a portion of the boulevard of Holton Avenue South adjacent to No. 684 Main Street East be approved, provided that:
- i. The applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$50.00 per year), plus taxes, if any, in addition to the \$10 annual encroachment insurance charge approved by City Council on 1984 February 14.

- ii. The owner pays a one time \$25 registration fee, as approved by the City Council on 1986 January 14.
 - iii. The owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.
 - iv. The driveway approach, parking area, and other structures, approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - v. The owner executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (c) That the application by Rosart Properties Inc. to lease a portion of the boulevard of Kendale Court adjacent to the Kenridge Plaza at No. 310 Limeridge Road West be approved, provided that:
- i. The applicant pay the annual fee in accordance with the fee structure approved by City Council on 1986 March 25 (current rate is \$525 for 19 parking spaces), plus taxes, if any, in addition to the \$10 annual encroachment insurance charge approved by City Council on 1984 February 14.
 - ii. The owner pays a one time \$25 registration fee, as approved by the City Council on 1986 January 14.
 - iii. The owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.
 - iv. The parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - v. The owner executes an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

- (d) That the application by Colantino Auto Mart to lease a portion of the boulevard of Melrose Avenue South adjacent to No. 1030 King Street East be approved, provided that:
 - i. The applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$100 per year), plus taxes, if any, in addition to the \$10 annual encroachment insurance charge approved by City Council on 1984 February 14.
 - ii. The owner pays a one time \$25 registration fee, as approved by the City Council on 1986 January 14.
 - iii. The owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.
 - iv. The parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - v. The owner executes an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- 25. (a) That the existing "No Parking" regulation on the west side of MacNab Street South, commencing at Robinson Street and extending to a point of 70 feet southerly therefrom be changed to a "No Stopping" regulation; and
- (b) That City Traffic By-law 66-100 be amended accordingly.
- 26. That, in accordance with the recommendation of the Hamilton-Wentworth Regional Police Department, a School Traffic Officer be assigned to the intersection of York Boulevard and Queen Street North/Cannon Street West.
- 27. That enforcement of parking meter violations on Saturdays be resumed in the two block section of King Street East between Sanford Avenue and Stirton Street.
- 28. That the Traffic Department be authorized to issue a parking permit to a vehicle, licence number CB2822, owned by Mr. R. Coulter, 49 East 26th Street.

29. (a) That the Minister of Transportation and Communication be advised that the City of Hamilton supports the request of the Ainslie Wood East Neighbourhood (Cline Avenue South) for the installation of a noise barrier adjacent to Highway 403, under the Province's Noise Barrier Retrofit Programme; and
- (o) That the Minister of Transportation and Communications be requested to approve additional funds in the Programme to provide for the immediate installation of the noise barrier in the Ainslie Wood East Neighbourhood (Cline Avenue South) adjacent to Highway 403.
30. That leave be granted to introduce the following bills:
- (a) B-67 By-law to establish Parts 7, 9, 10 & 11, Plan 62R-6969 and Part 1, Plan 62R-8964 and to be named Silverton Drive
- (b) B-68 By-law to extend Upper Gage Avenue by incorporating therein Part 1, Plan 62R-8590
- (c) B-69 By-law to incorporate Part 1, Plan 62R-1965 into Robertsfield Drive
- (d) B-70 By-law to extend Torlake Street by incorporating therein Block "BX", Plan M-139 (1' reserve)
- (e) B-71 By-law to amend By-law 66-100 to Regulate Traffic
- (f) B-72 By-law to amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse
Secretary

1987 August 17
Attachments

* Section 12(d) amended to read:

12. (d) That the subdivider of Paradise Village Subdivision be responsible, at his cost, for the removal of the temporary access road, final installation of the curb and sidewalk at the end of the cul-de-sac, installation of trees and armour rock at the end of the cul-de-sac and installation of the sidewalk on Upper Paradise Road at the locaton of the temporary roadway and, that the Subdivider be required to provide a public walkway from Megna Court to Upper Paradise Road.

09/01/87

Referred to in Section 3 of the Twelfth
Report of the Transport & Environment Committee
-1677-

Bill No.

The Corporation of the City of Hamilton

BY-LAW NO. 87-

Respecting:

TREES

Preamble

WHEREAS the City of Hamilton, pursuant to paragraph 51(a) of Section 208 of The Municipal Act, may by by-law exercise any of the powers that are conferred on boards of park management by the Public Parks Act, R.S.O. 1980, Chapter 417, following dissolution of the Board of Park Management on December 31, 1973 pursuant to Section 136 of the Regional Municipality of Hamilton-Wentworth Act, 1973;

AND WHEREAS the City, pursuant to subsection 3(1) of the Public Parks Act has the general management, regulation and control of existing parks and is empowered under subsection 11(1) of the Act to pass by-laws for the use, regulation, protection and government of parks;

AND WHEREAS the City, pursuant to paragraph 57 of Section 208 of The Municipal Act may by by-law maintain, operate or manage parks;

AND WHEREAS the City, pursuant to section 313 of The Municipal Act may pass by-laws respecting trees.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

Definitions

1. (a) "City" means the City of Hamilton;
- (b) "Director" means the Director of Public Works of the City;
- (c) "Drip Line" means the outer boundary of an area on the surface of the ground that corresponds to the outer edge of the crown of the tree;
- (d) "owner" includes tenant, occupant, or person apparently in control of the premises but does not include the City or Local Board;
- (e) "person" includes individual, contractor, corporation, commission, public utility, firm, partnership or organization of any kind, or their employee or agents but does not include the Director;
- (f) "private property" means land other than public property;
- (g) "private tree" means any tree located predominantly on private property;
- (h) "public assumed alley" means a lane or alley paved by the City under Local Improvement Act or assumed by by-law;
- (i) "public property" includes a highway, park, public unassumed alley, or any other public place or land owned by or leased to or controlled by or vested in the City or local board;
- (j) "public tree" means a tree located predominantly on public property;

- (K) "tree" means a woody plant of a species which at maturity is usually five metres in height, having one or more self-supporting trunks and includes the roots, branches, trunks, crown or any part thereof.

Prohibited Species	2. No tree of the species listed in schedule "A" hereto annexed shall be planted upon public property unless authorized by the Director.
Planting on Public Property	<p>3. (1) Every person may, with the consent of the Director, plant a shade or ornamental tree on public property.</p> <p>(2) Any tree planted in accordance with subsection 3(1) is the property of the City and is deemed to be a public tree and is subject to all terms and conditions as set out in this by-law.</p>
Request for Public Tree Planting	<p>4. (1) The City may, upon request of the owner plant shade or ornamental trees on public property adjacent to the property of the owner of the private property</p> <p>(2) Any tree planted in accordance with subsection 4(1) is planted at the City's expense.</p> <p>(3) Any tree planted in accordance with subsection 4(1) is the property of the City and is a public tree.</p>
Removal of Public Trees	<p>5. (1) The Director may authorize the removal of any public tree when it is considered necessary in the public interest.</p> <p>(2) For the purpose of subsection 5(1) "Necessary in the Public Interest" includes removal for one or more of the following reasons:</p> <ol style="list-style-type: none">1. A tree that is decayed in whole or in part.2. A tree that is dangerous or potentially dangerous in whole or in part to persons or property.3. A tree that is diseased or is a source of disease.4. A tree that is a source of any causal organism of a disease which may endanger the health of any plants.5. A tree which unduly interferes with the use of any public land.6. A tree which produces fruit or berries and creates a hazard to the public. <p>(3) For the purpose of subsection 5(1) and subsection 5(2)-5, Approval for the removal of the tree is required from City Council as per section 7 of this By-Law.</p>
Notice of Removal	<p>6. (1) Except as provided in subsection 6(2) no public tree shall be removed without prior notification being given to the abutting property owner.</p> <p>(2) Notification of public tree removal may be waived by the Director in an emergency situation where a public tree endangers public health, public or private property.</p> <p>(3) Notice required to be given by subsection 6(1), may be given by leaving it with a grown-up person residing on the land or if personal contact is not possible, by posting it in a conspicuous place on the land.</p>

Removal of Public Tree The Director will authorize the removal of any public tree which is determined to be a public nuisance by the City Council.

Cost for Removal of Public Tree If, upon the request of property owners, the City Council approves the removal of a healthy public tree which is not causing any damage to public or private property, all costs relating to the removal of this tree are charged to the property owner.

Additional Costs (3) In addition to the costs relating to subsection 7(2) the property owner is required to pay the City the cost of one, balled and burlapped, minimum 7 centimeter caliper replacement tree for each public tree removed.

Prohibitions Against Injury or Destruction 8. No person shall, without prior written consent of the Director,

- A. Remove, prune, disturb, cut above or below ground, or alter in any way, a public tree;
- B. Deposit, place, store or maintain on public or private property any stone, brick, sand, concrete, soil or any material or equipment that may impede the free passage of water, air or nutrients to the roots of a public tree;
- C. Fasten any sign, bill, notice, wire, rope, nail or other object to, around or through any public tree in any manner; or to, around or through the stakes, posts or protect any such tree.
- D. Cause or permit any gaseous liquid or solid substance which is harmful or toxic to any public tree, to come in contact with them in any way;
- E. Set fire to or permit any fire to burn where such fire or the heat thereof will injure any portion of any public trees;
- F. Interfere with fences, boxes or other protective devices placed around any public tree;
- G. Alter or change soil levels in the vicinity of any public tree in a manner likely to cause injury to the tree;
- H. Excavate any ditch, tunnel, trench, or lay any walkway or driveway within the drip line of a public tree;
- I. Cause or permit or perform any excavation or soil disturbance or compaction within the drip line of any public tree.

Public Nuisance Trees 9. (1) The Director may declare to be a public nuisance any tree on private land which unduly interferes with the use of any public land, creates a hazard to the life, health, safety or property of the public.

Requirement (2) Where a tree is declared a public nuisance, the Director may order the owner or person in charge of the land containing the tree to do one or more of the following:

- A. Disinfect the tree and other trees or plants and the vicinity thereof.
- B. Treat, repair or remove the tree or otherwise eliminate the condition.

Notification (3) Every requirement shall be in writing and set out information as the Director determines for the purpose and the time during which the requirement shall be completed.

09/01/87

- Failure to Preserve, etc. (4) Where the person upon whom the requirement has been made, fails to carry out the work required, the City may do the work at the expense of the person.
- Recovery of Expenses (5) The City may recover the expense incurred by action or in like manner as municipal taxes upon the private property.
- Additional Authority of Director 10. In addition to the authority otherwise provided in this By-Law, the Director is authorized to perform the following duties:
- (1) Supervise the planting, care and maintenance of trees on public property
 - (2) Supervise the trimming of trees planted;
 - a. Upon public property; or
 - b. Upon private property where the branches extend over public property
 - (3) Remove trees in the public interest.
 - (4) Remove trees from public property contrary to this by-law.
 - (5) Administer and Enforce this by-law
- Consent of Director 11. (1) Where consent of the Director is required, any person may apply in writing to the Director for consent setting out the purpose for which the consent is required, the details of actions proposed, the expected results of such actions and such other matters as the Director may specify at the time the application is made.
- IBID (2) The Director may consent, or consent upon condition or refuse to consent or withdraw his consent.
- No Obligation of Director 12. Where consent of the Director is required under this by-law, nothing in the by-law obligates the Director to give such consent or continue such consent.
- Injury of a Public Tree 13. Every person who injures a public tree shall immediately notify the Director.
- Penalty 14. Every person who contravenes any provision of this by-law is guilty of an offence and is liable to a fine of not more than \$2,000.
- Repeal 15. Section 5 of By-Law No. 86-77, passed 1986, February 25, is repealed.

PASSED this day of A.D. 1987

City Clerk

Mayor

Index 'B'

CORPORATION OF THE CITY OF HAMILTON

DEPARTMENT OF PUBLIC WORKS

PARKS DIVISION

HORTICULTURAL POLICIES, 1987

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*** By-Law Reference is indicated in the right hand margin of these policies.

A. DEFINITIONS

HORTICULTURALIST: Shall be qualified by experience and education to carry out and supervise all phases of work under his supervision.

B & B TREE: Means any tree where the roots have been balled and burlapped during transplanting.

B.R. TREE: Means any tree where the roots are bare during transplanting.

CABLE AND RODDING: Forestry techniques used to prolong the life of trees with splits, cracks or heavy limbs.

CITY: Means the the City of Hamilton.

CONTRACTOR: Means any firm capable of carrying out work under the applicable by-laws, provincial and federal laws and consistent with the standards set down in the specifications.

DANGER ZONE: Means the surface area in which there is a possibility of limbs, branches or tools falling from a tree during arboricultural work. (Zone varies by size of tree, location and species.)

DIRECTOR: Means the Director of Public Works of the City.

DRIP LINE: Means the outer boundary of an area of the surface of the ground, that corresponds to the outer edge of the crown of the tree.

EMPLOYEE: Means any person employed by the Corporation of the City of Hamilton, Department of Public Works.

FALL AREA: Means the ground surface area in which there is a danger of a tree or part of a tree falling in any direction other than straight down into the danger zone.

FEEDING AREA: Means the entire surface area under which a tree's roots have spread.

GRID PRUNING: Means the defined street block and park sectors within the City of Hamilton established to systematically clear tree limbs and branches from overhead utility lines.

GROUNDSPERSON: Means any employee engaged in on-the-ground tasks associated with arboricultural work.

HANGER: Means any branch or limb which has broken or fallen from a tree but has not fallen to the ground because of other limbs or wires.

MAN IN CHARGE: Means the employee assigned to oversee the work site.

MAY: Means an optional requirement.

PIKE POLE: Forestry equipment used to push away limbs or trunks.

QUALIFIED PERSONNEL: Means any worker who, by reason of his training and experience, has demonstrated his ability to safely perform his duties, and where required, abide by federal, provincial and municipal statutes, by-laws and regulations.

SHALL: Means a mandatory requirement.

STRIKING DISTANCE: Means the distance equal to the longest dimension of any tree or limb being felled, measured horizontally from the base of the tree or limb being felled.

STUB: Means the remaining piece of a limb or branch which has broken or been removed from a tree but which is not flush with the trunk.

SUCKER: Means the vigorous, vertically growing secondary off-shoots generally sprouting from any part of a woody plant that has been disturbed.

TREE CLIMERS OR SPURS: Forestry equipment which strap to a person's leg, used to aid in climbing trees.

UNDERGROWTH: Means any vegetation including flowers, turf, ground covers, shrubs and other woody plants growing under trees.

UTILITY: Means any overhead or underground device, including communications wire, cables, powerlines, transformers, pipe lines and all like installations.

WORKMAN, FOREMAN, ETC.: In all cases "he" shall mean he or she, "workman" shall mean workman or workwoman. "Foreman" shall mean foreman or forewoman. All terms in these specifications that imply one gender are intended to apply equally to both.

B. GENERAL POLICIES

Public Relations	When carrying out horticultural activities, workers will maintain good public relations with those with whom they come into contact.
Cleanliness of Work Site	All work sites shall be fan raked and broom cleaned when the site is vacated. Clean up operations will progress with the job.
Damage Caused by Negligence	Any damage, caused due to negligence covered under these policies/specifications, will be the responsibility of the party causing the damage.
Traffic Routes and Noise By-Law	All work will be scheduled in such a way as to minimize the restrictions of vehicular and pedestrian routes between the hours of 07:00 to 09:30 and 15:30 to 18:30 on week-days and to work in accordance to the City noise By-law, between 07:00 to 23:00 hours (except in emergency situations).
Wood	If requested by the homeowner, wood from City trees trimmed or removed, may be left on the City road allowance in front of the homeowners house. The Corporation of the City of Hamilton will assume no responsibility for wood left unattended on the City road allowance in front of the homeowner's house.

SAFETY POLICIES

Work According to O.H.S.A.	All work will be carried out in accordance with all relevant Federal and Provincial Safety Legislation as well as Municipal By-laws and regulations. Particular attention will be paid to the Occupational Health and Safety Act, 1981 and all relevant regulations made under such legislation.
Safety Equipment	All safety equipment shall be worn and used as required.
Traffic Controls	All vehicle and pedestrian rerouting will be done according to the Municipal Traffic Control Manual. All safety signing and traffic control will be carried out according to the Municipal Traffic Control Manual.
Safety Takes Precedence	Although the retention of healthy trees in their natural form is a priority, safety will take precedence.
Utility Line Safety	All employees working in the vicinity of utility lines will be fully competent in the safe working procedures appropriate to the voltage of the electrical apparatus on or near the work site. The on site supervisor(s) will be fully conversant with the safety procedures to be followed in case of accidents involving utility lines. Every employee involved in utility line clearance will be able to identify and distinguish low voltage, distribution and service electrical conductors and communication lines. The employee will understand the hazards and safety standards critical to work in the immediate environs of each.
Safe Working Distances	A safe distance from live electrical apparatus must be maintained by all persons. This safe distance will also apply to any tools or material handled by any employee. The "Safe Distance" is defined in section 72 of the Ontario Construction Safety Act. Qualified competent persons may be exempted but will observe the following general rule in the approach to live electrical lines.

<u>Voltage Range</u>	<u>Distance From The Live Utility Line</u>
750 - 14,999 Volts	1 meter (3 feet)
1,500 - 49,999 Volts	1.2 meters (4 feet)
50,000 - 149,999 Volts	1.5 meters (5 feet)
150,000 - 250,000 Volts	2.1 meters (7 feet)

Where voltage can not be determined, lines will be considered to carry over 750 volts.

Contact With Utility Lines Safety ropes, tools, severed limbs, equipment aerial lifts, etc. will be handled in such a way as to ensure that no contact is made with any utility line.

Where limbs contact utility lines, or are so close that movement in the tree will bring them into contact, they shall be cut off using C.S.A. Approved, insulated pole pruners. Where practical, this work will be done from the ground or from an aerial mobile tower.

In the case of a limb or any piece of equipment contacting or becoming lodged on one or more conductors, men shall be warned by the employee in charge to keep clear in case a conductor should burn and fall or a piece of equipment or a tree becomes energized. Approved methods for removal depending on the line voltage are as follows:

Telephone Lines: Under normal conditions, the branch may be removed from telephone conductors by means of wooden handled or other insulated pole pruners.

Lines Carrying Over 44,000 Volts Phase to Phase: Should branches become lodged over electrical utility lines carrying over 44,000 volts, the general foreman or foreman of Forestry will make an application to the responsible hydro authority to shut off the line. Under no circumstances will personnel be allowed to come within 4 feet of such lines until the hydro has been shut off.

Lines Carrying 44,000 Volts Phase to Phase and Under: The branch may be removed with properly maintained non-dielectric fibre glass pole pruners. Approved rubber gloves shall be

worn and the work shall be supervised directly by the City's man in charge. Workmen will not stand directly below the conductors.

Ladders

Only ladders constructed of non-conductive material will be employed within 3 meters (10 feet) of any utility lines.

**Insulating
Gloves**

Rubber insulating gloves and sleeves, when in good condition and properly used, are designed to protect the wearer from serious injury, death and other potential dangers of electrical shocks and burns. The following instructions will be followed in addition to the instructions contained in the employer's safe work practices and procedures manual.

Proper care and use of these products are essential to the safety of the user. Gloves and sleeves will be inspected visually by the wearer prior to each use. Such inspection will include the inside as well as the outside surfaces. Gloves and sleeves may be damaged by many chemicals, especially petroleum base products, such as oils, gasoline, hydraulic fluid, inhibitor, hand creams, pastes and salves. If contact is made with these or other petroleum base products, the contaminant will be wiped off immediately. Gloves and sleeves should be cleansed using a mild soap. After washing, rinse thoroughly with clear water and air dry. If any signs of physical damage or chemical deterioration are found, such as swelling, softness, hardening, stickiness, ozone deterioration or sun checking, the subject gloves or sleeves will not be used. Rings, watches, jewelry and sharp objects will not be worn when wearing rubber gloves or sleeves.

Leather protectors provide only mechanical protection for rubber insulating gloves, and used alone, do not provide any protection against serious injury, death, or other potential dangers from electrical shocks or burns. Leather protector gloves must always be used, and are to be worn over the rubber insulating gloves. The protector should be inspected at the same time the rubber gloves are inspected. Look for metal particles, imbedded wire, abrasive materials or any

substance that could cause puncture abrasion, contamination or deterioration. Adequate flashover distance between the top of the protector and bead of the rubber glove will be maintained. The minimal recommended uncovered distance is one inch for each 10,000 volts.

**Lowering
Limbs**

Any limbs over utility lines, structures, fences, flower beds, etc. that cannot be handled and lowered safely by hand will be carefully roped and lowered.

All branches, limbs or twigs above utility lines that are to be removed, will be cut in such a way as to fall safely beyond conductors. If this is not possible, limbs will be roped for lowering around utility lines.

Dead branches over 10.0 centimeters (4 inches) in diameter near utility lines, structures, fences, etc., will be removed with a saw and lowered in a safe manner.

**Chains or
Cables**

When removing a tree that is split, or a tree with twin trunks that are likely to split, chains, cables or straps with adequate strength will be placed tightly around the tree before commencing the back cut. At least one chain, cable or strap will be placed above, and as close as is practical to the back cut to prevent separation of the trunk.

**Immediate
Hazard**

If a cavity, weakening or decay constitutes an immediate hazard to workmen, utility lines, vehicles, structures, etc. within the fall area, the portion of the tree above the decay point will be removed immediately if practical. The remaining portion of the tree will be saved and pruned into a natural form. Where the remaining portion cannot ultimately be trained into a suitable form or where mutilation will result, it will be removed in its entirety.

In locations where ordinary felling operations might cause damage to property, trees will be suitably dismembered and felled using recognized forestry rigging practices, ensuring that any severed portion of the tree is under control at all times.

09/01/87

**Tree
Felling**

Trees shall be felled directly away from power or communication lines, structures, vehicular or pedestrian right of ways, or horticultural

plantings and only after all limbs have been removed which might contact utility lines or cause damage to other trees or property. If the tree must be felled towards power or communication lines, it shall be topped low enough to clear all conductors, poles, guys and like installations.

Ordinarily, trees will be notched in the direction towards which they are to fall and sufficient holding wood shall be left to provide control.

Under no circumstances will a partially cut tree be left standing during rest breaks, lunch hour or overnight.

Guy Ropes

Guy ropes will be used on all trees that are sufficiently large to cause damage should they fall in any direction other than that intended. The guy ropes will be installed before commencing any cutting at the base of the tree.

Anchors for guy ropes shall be installed in such a position that persons handling the guy ropes are able to stand well outside the striking distance of the trees.

**Danger
Zone**

Before any tree is felled, employees other than those operating the saw or giving direction to men involved, shall remain clear of the danger zone. The size of the danger zone will be determined by the person in charge.

All brush, debris and equipment that would hamper free movement when attempting to get clear in case of an emergency, will be cleared away as the job progresses.

Warning

Ample warning shall always be given before a tree is expected to fall and all workmen must stand clear in case the tree springs from the stump while falling.

Hangers	No "hangers" will be left in any pruned tree at the close of the days work, when leaving the site or at the end of any shift.
Pike Poles	Under no circumstances shall pike poles be used for the purpose of holding or pushing trees during felling operations.
Axes	Under no circumstances will axes be used by any employee, except when the employee is working on the ground.
Equipment Inspection	<p>All climbing ropes in use or on the work site will be inspected from end to end by the user prior to each usage, to ensure that there is no weakening, fraying, stressing or other damage that constitutes a danger to the climber or his co-workers, similarly, all other safety equipment will be checked regularly by the user to ensure that it is in safe working condition and that any defect is rectified immediately.</p>
Boots	Rubber sole (or equivalent) boots will be employed in climbing to ensure that the risk of slipping is minimized and that there is no damage to the trees.
Inspecting Equipment	<p>Circle checks of all vehicles and motorized equipment will be performed each morning prior to leaving for the job site.</p> <p>All fluid levels in vehicles and equipment will be checked on a regular basis; i.e., daily, weekly, monthly, etc.</p> <p>All equipment will be kept clean at all times.</p>
Minimum Height Restrictions	When working over public sidewalks, walkways, streets or roads, no safety or lowering rope will fall to within 5 meters (15 feet) of the surface travelled by vehicles and to within 3 meters (10 feet) of pedestrian routes.
Utility Locates	Prior to the commencement of any excavating or stumping operation, the general foreman/foreman will ensure that all underground utility locates have been determined.

Trainees

Where trainees are involved, they will be instructed in the safety standards and practices specified in the agreement and work directly with one qualified workman. There will be no more than two trainees supervised by each qualified workman at any one time.

D. PLANTING AND PLANT HANDLING POLICIES

Utilities	Tree planting locations will be determined after locating underground and overhead utilities.	
Plant Species	Plant species will be selected on the basis of their suitability for the existing climate, soil and winter salt conditions and planting location.	Section 3, 4
Prohibited Species	Prohibited species will not be planted on Public Property. Some exceptions may be made for parks and golf courses or as authorized by the Director. See Schedule 'A' "Prohibited Species".	Section 2
Trees per Lot	Trees may be planted on the basis of one per lot or three per corner lot or alternately on the average of one per 15.2 meters (50 feet) of road frontage.	Section 4
New Subdivisions	Trees will be planted in new subdivisions when the majority (90%) of the construction on abutting properties is complete and final grades have been established on the street right of way.	
Road Reconstruction	Trees will be planted so that an 8.5 meter (28 feet) road reconstruction or widening (curb to curb) can exist without affecting the trees in any detrimental manner.	Section 3, 4
Tree Scale	Trees will be of a scale relative to adjacent buildings, overhead utilities and will provide sufficient clearance for pedestrian or vehicular traffic.	Section 3, 4
Plant Location	Plant material will be planted at a distance from the property or curb line as determined and co-ordinated with any utilities having use of the right-of-way.	Section 3, 4
	Trees will be planted at a sufficient distance from any building so that the root system does not interfere with any building foundations. In a location where sufficient area is not available, the homeowner will be given an abridged list of tree species from which they may make a selection.	Section 3, 4

Mature Height	Trees will be selected and planted so that overhead utility lines will not be effected when the tree reaches its mature height and crown diameter.	Section 3, 4
Pruning	<p>B & B and B.R. trees will be properly pruned when planted in order that they will adapt to the standard grid pruning program.</p> <p>Trees will be pruned of any branches or roots broken, twisted or damaged during trans-planting.</p>	
Roots	Roots will be cleanly cut.	
Transporting Trees	Plants will be well protected against possible damage and drying out due to wind, sun, etc, during transporting and trans-planting. Any part of a plant which may be damaged due to contact with equipment will be padded.	
Planting Procedures	Trees will be firmly packed with topsoil around the tree roots and a saucer or dish will be bowled on the surface of the soil around the tree trunk to catch rainfall or manually applied water. This does not apply where tree grates or interlocking brick are to be installed around the tree.	
Tree Supports	<p>Trees will be securely supported after planting using a tree support T-rail or 5 centimeter by 5 centimeter (2" x 2") post or approved equivalent. Where possible, tree supports will be installed on the west side of the tree in order to provide for greater support from the prevailing winds.</p> <p>Trees will be securely tied to the supporting posts with an approved tree collar or using rubber hosing tied in a "Figure 8" fashion so that the tree will not be girdled by continual rubbing.</p> <p>Tree supports will remain for at least one growing season or longer where further protection or straightening of the trunk is required.</p> <p>Tree supports will be removed when the tree has adequate root growth to support itself.</p>	

E. STREET AND PARK TREE POLICIES

	No person other than a qualified employee shall prune or cut down any tree.	Section 8
Planting Requests	If a homeowner requests a tree be planted on the City road allowance, the City may comply and suggest several suitable varieties available that the homeowner may choose from.	Section 3,
	Evergreen trees will not be planted along any road allowance except where authorized by the Director.	Section 3, 4
Jurisdiction	The City does not have jurisdiction over trees located on Niagara Escarpment Commission, Conservation Authority, Royal Botanical Gardens and other such public lands.	
Hazardous Tree	Any City tree deemed to be a hazard for any reason may be removed by the City at any time without notice.	Section 5(2) Section 6(2)
Tree Removal	No healthy, substantial City tree will be removed unless approved by the Parks and Recreation Committee and/or the Transport and Environment Committee and City Council.	Section 7
	When, at a property owners request, City Council approves the removal of a healthy public tree which is not causing any damage to public or private property, all costs relating to the removal of this tree are charged to the property owner.	
	In addition to the costs relating to the tree removal, the property owner is required to pay the City the cost of one, balled and burlapped, minimum 7 centimeter caliper replacement tree for each public tree removed.	
Deadwood	Deadwood will be removed on a regular basis during the grid pruning program.	
	No tree will be removed because of deadwood unless the tree is in a severe state of decline.	
Firewood	Wood suitable for burning may be left at the work site upon the request of the homeowner.	

Site Clean Up Where a chipper is to be used, all wood chips will be removed from the site and disposed of by the City, unless otherwise specified.

When tree work is complete, all wood chips, brush, limbs, trunks and logs, unless otherwise specified will be considered the property of the City, and disposed of in a manner consistent with the applicable Provincial Statutes and Municipal By-laws.

In natural meadow or rural areas, all branches, limbs and twigs over 1.3 centimeters (1/2 inch) in diameter may be removed from the site. In all industrial, residential, commercial, park and similarly maintained areas, all grass, gravel and garden areas will be left "fan rake clean". All driveways, walkways, roads, curbs, patios and other asphalt, concrete, stone and similar surfaces will be "broom clean" when the site is vacated at the end of each shift and/or at the end of each day.

**Stump
Removal**

When trees are removed, the stump will also be removed as soon as possible; i.e. following utility locates and subject to weather conditions, and work schedules.

The hole left after stumping will be covered or top dressed with soil by the City.

Seeding or sodding, after the hole is filled is the responsibility of the homeowner.

Except where specified by the horticulturist, stumps of all removed trees will be lowered to a point at least 15 centimeters (6 inches) below grade. Where the ground level around a tree is noticeably higher than the surrounding grade, the trunk will be reduced to a point 15 centimeters (6 inches) below the average grade in the area of the tree so that when seeded or sodded, the smooth flowing contour gives no evidence of the work done.

**Tree
Cavities**

Tree cavities will only be filled when specified by the horticulturist.

Feasibility of filling cavities is determined by the size of the cavity and condition of the tree.

At no time will a major cavity in the trunk of a tree be filled with cement or any other material except approved tree cavity foam.

**Cabling and
Rodding**

When dealing with frost cracks and split crotches, the City will investigate the severity of the problem and take the necessary steps to correct the situation.

Cabling and rodding will be used only as a last resort in saving an otherwise healthy tree.

Cabling and rodding may be used on rare or historic trees, or when specified by the horticulturist.

Storm Damage

The City will make safe any storm damage as soon as possible after it has been reported. This includes any private tree which has come down on City property.

Section 5, 6(2), 9

Winter Damage

Winter damage will be inspected by the horticulturist in order to determine what remedial action should be taken.

**Traffic
Accidents**

When traffic accidents involve a City tree the first priority is to make the tree safe.

Section 5, 6(2)

Official accident reports will be sent by the Police Department to the Department of Public Works. Once a claim is received, an estimate is made of the repairs and/or replacement costs. All damages will be rectified with all costs being charged against that claim if applicable.

Vandalism

The City will repair any damage to trees caused by vandalism, immediately or as soon as possible after it has been reported to the department.

**Public
Unassumed
Alley**

The City will trim or remove any tree in a public unassumed alley only when such a tree is considered by the horticulturist to pose a potentially dangerous situation.

The City will not perform routine tree maintenance on trees located in public unassumed alleys.

**Private
Alleys**

The City will not remove or maintain any tree on a private alley.

Construction

No change of grade will be permitted within the dripline of any tree.

Section 8

During construction any item which may cause soil compaction will not be permitted within the dripline of any City tree; i.e. materials, and equipment.

Section 8

Construction within the dripline of any City tree will be done in such a way as to ensure that the roots will not be damaged.

Section 8

Roots that are exposed will be cut according to arborist specifications.

Any roots contacted during excavation will be cut according to arborist specifications.

No foundations or retaining walls will be constructed where severing of major roots will occur.

Utilities

Trimming of trees near overhead utilities will be done during the standard grid pruning program.

When installing underground utilities within the dripline of a City tree, proper augering techniques as specified by the arborist will be used.

If a major grade change is required, a retaining wall or tree well will be built if possible in order to maintain the original grade around a City tree.

**Surface
Roots**

No City tree will be removed because of surface roots.

No homeowner will cut or destroy any surface roots which are part of a City tree.

Section 8

When the City receives a complaint from a property owner regarding surface roots, the Horticulturist will investigate the situation and suggest a solution to the Homeowner ie) raising ground level over roots and seeding or sodding, planting ground cover, constructing a planter box around the base of the tree etc. The accepted solution will be cost shared equally between the City and the property owner.

**Sidewalks
Driveways
and
Foundations**

When sidewalk reconstruction takes place, the City or contractor will replace concrete sidewalks in the vicinity of trees with an interlocking stone walkway where deemed necessary by the horticulturist.

When excavating sidewalk or driveways, the cutting or surface roots will be kept to a minimum with all roots being cut according to the arborist's specifications.

The City will repair any city sidewalk on the road allowance where tree roots have caused cracking or damage.

The City will not remove any City tree which has caused damage or cracking to a sidewalk driveway or foundation.

When the City receives a complaint from a property owner regarding tree roots damaging private sidewalk, driveways or foundation walls, the horticulturist will investigate the situation and suggest a solution to the homeowner. ie) root pruning, root deflectors etc.

The accepted solution will be cost shared equally between the City and the property owner. When the Horticulturist deems that the removal of the tree is the desired solution to the problem the City will cost share equally the tree removal and necessary repair to the property.

**Front Yard
Parking**

Applications for front yard parking where there is a conflict with a tree on the road allowance will be reviewed by the horticulturist.

No healthy City tree will be removed in order to install an approach or allow space for front yard parking unless authorized by City Council.

Section 4a
Subsection
- b & i

No front yard parking will be allowed where soil compaction may cause damage to the roots of a City tree.

New driveways will not be constructed where soil compaction will effect the roots of a City tree

Any minor roots contacted when installing an approach or front yard parking will be cut according to arborist specifications.

Sewers

When the City receives complaints from a property owner regarding City tree roots damaging the property owner's sewer, the City shall authorize the homeowner to call a municipality selected Sewer Contractor to clean-out the resident's sewer. The Sewer Contractor will advise the resident and the City, by way of a signed affidavit, of the exact cause of the blockage.

If it is determined that the sewer blockage was caused by the roots of a City tree, the City will assume 100% of the cost of the clean-out.

If it is determined that the sewer blockage was not caused by the roots of a City tree, the total cost for the clean-out will be assumed by the homeowner.

If a sewer clean-out is required twice or more in one year, as the result of City tree roots, the Director of Public Works will discuss the situation with the homeowner and a decision will be made to cost share either the removal of the tree or the replacement of the sewer. The replacement sewer line will be constructed of suitable material or relocated in an area where it will not be affected by roots.

If a tree is of an endangered species or considered of historic value, a decision will be made by the Director of Public Works to either continue a scheduled clean-out or to cost share the replacement of the sewer. The replacement sewer line will be constructed of suitable material or relocated in an area where it will not be affected by roots.

Undesirable Trees	The City may remove, at the request of a homeowner, any ornamental variety of public tree which is causing a problem by dropping fruit on sidewalks or driveways; i.e. mulberry, apple, pear, crab apple, mountain ash.	Section 5(2)
Seeds, Nuts Leaves	The City will not remove a tree because of its production of seeds, nuts or leaves.	
Leaves	Leaves collected from Park lands may be dumped in stock piles and allowed to decompose and be used as leaf mold.	
Sap	The City will not remove any City tree due to sap dripping from limbs or saw cuts. Note: pruning scars will heal over and the flow of sap will stop.	
Insects/ Diseases	<p>The City may spray City trees for insects and disease control when and where necessary. The decision to spray will be determined by the horticulturist, when and where such spraying will not create an environmental hazard to the surrounding area.</p> <p>The City will spray or remove bee, wasp or hornet nests from City trees when notified or requested to do so.</p> <p>The removal of City trees infected by disease or insects will only occur if the tree has declined to a state where it will not recover. The horticulturist will make the final decision to remove any such tree.</p>	
Birds/ Animals	<p>The City may trim City trees away from eaves and roof-tops, hydro poles and lines in order to eliminate access by animals from a City tree to these areas.</p> <p>Trees may be trimmed to eliminate flocking birds but this practice is at the discretion of the horticulturist.</p> <p>The City will not remove any City tree when requested by a homeowner because of flocking birds eating fruit or squirrels gathering nuts.</p>	

The City will not remove any City tree when requested by a homeowner because of birds or squirrels nesting in trees.

Visibility

City trees may be removed or pruned in order to comply with Traffic By-laws.

The City will comply where reasonable to clear visibility to business signs. Traffic signs, lights, etc. will be cleared according to Traffic By-laws.

City trees will not be removed in order to clear the visibility to private business signs.

Screening

The removal of trees which have been planted to act as a screen or sound barrier will be kept to a minimum.

Climate Control

The removal of City trees which have been planted in order to moderate climate will be kept to a minimum.

Shade

City trees will not be removed because of dense shade which may affect turf growth.

The City may thin out the crown of a City tree in order to allow sunlight to penetrate to the turf area. The City will recommend to a homeowner a shade tolerant grass seed mix which the homeowner may purchase and plant themselves.

Erosion

No City tree will be removed where a problem of erosion exists or may result.

Lights

No person shall install any lights in any City tree with the exception of City employees installing Christmas tree lights or on the approval of the horticulturist.

Section 8

Signing

No person shall affix any signs, notices, bills, clothes lines, etc. to any City tree.

Section 8

Christmas Trees

The City will not remove live evergreen trees donated by homeowners for use as Christmas trees or otherwise.

Where possible, evergreen trees are being planted in areas where Christmas trees are required.

F. ARBORIST SPECIFICATIONS

All employees involved in tree pruning will be experienced and knowledgeable in standard pruning practices.

All dead and decaying branches will be removed from City trees.

- Pollarding** The stubbing of major branches or the trunk normally called "pollarding" will not be permitted and all cuts will be made at the nodes or crotches.
- Tree Wound Dressing** Tree wound dressing will only be used when instructed by the horticulturist.
- Tree Climbers** "Tree climbers" or "spurs" will only be used in trees that are being felled. Under such circumstances Ontario Hydro rule #604 shall be observed.
- Natural Form** The pruning of any City tree or shrub will be carried out in such a manner as to retain, as much as possible, its natural form.
- Pruning** The pruning of trees for clearance from lights, street lights, utility lines, trolley wires, structures, etc. will be uniform and stripping one side of the tree will be avoided.
- Distribution of Foliage** Pruning will be done in such a way as to leave the foliage evenly distributed throughout the tree crown. Deciduous trees growing over park, commercial or residential lawn areas will cast an intermittent shade, ensure sufficient sun penetration to maintain turf growth unless otherwise specified by the horticulturist.
- Broken Limbs** All broken branches will be pruned back to the nearest suitable trunk, crotch or lateral. To facilitate optimum healing, all pruning cuts will be made just outside or at the collar with the lateral, main branch or trunk. Twigs and small branches, will be cut no more than one half inch above any buds.

**Shortening
Limbs**

Where limbs are shortened, workmen will not cut back to any "suckers" but leave enough surface area to keep the limb alive. Where possible, limbs will be removed at the trunk making the cut just outside or at the collar.

**Maximum of
Foliage
Removed**

No tree will have more leaf bearing branches removed that is permissible for the species. Generally, the removal of any more than one third of the foliage producing structure at any one time will be avoided except for fast growing trees where a maximum of one half of the foliage producing structure could be removed if necessary.

**Coniferous
Pruning**

Coniferous pruning will conform to all standards listed in these specifications.

Should the leader of any coniferous tree be damaged, a lateral branch of the whorl immediately below the leader will be bent up and braced vertically to replace the lost leader.

All coniferous tree pruning will be kept to a minimum.

**Utility
Lines**

All limbs that come into contact with and will damage utility lines, structures, lighting posts, fences, etc. will be trimmed or removed.

**Utility
Line
Clearance**

All utility line clearance will be carried out in such a way as to permit a minimum of five full years to elapse prior to the need for re pruning.

When carrying out line clearance, allowance will be made for the lateral sway of branches in windy weather. Similarly, cold weather pruning will allow for a hot weather utility line sag of two feet equidistant from adjacent utility poles.

All line clearance work will take into consideration, the differential growth rates of each tree variety when ensuring line clearance for a minimum of a five year period. All clearances will conform to Chart No. 1.

Where service lines pass through or adjacent to any tree: all limbs, that could, under normal climatic and weather conditions, strain or break utility lines will be removed. Generally a clearance of 0.5 meters (18 inches) is desirable to prevent current leakage to the ground and other service disruptions. Where this may disrupt the form of the tree, line guards may be employed to protect the service lines of up to but not in excess of 230 volts potential. This will only be done where adjacent branches will not exert stress on the line during normal climatic and weather extremes.

Shallow rooted trees leaning towards utility lines will be investigated to ensure that there is no structural weakness that will result in any part of the branching structure striking the lines during a storm. Overhanging limbs will be lightened or removed where there is the possibility of their sagging or breaking under normal climatic and weather conditions.

The removal of rapidly growing trees directly below utility lines will be carried out where reasonable or as otherwise stated in these standards. Similarly, all trees that would be mutilated or deformed by the minimum required line clearing operations will be trimmed or removed subject to approval by the horticulturist.

**Lowering
Tree Height**

When lowering the height of deciduous trees, especially under utility lines, utilize drop crotch pruning where possible to minimize the likelihood of suckering. The crown will be "rounded off" by removal of a minimum of major branches or laterals.

Notching

The notching of tree crowns and other distortion of natural form will be kept to a minimum.

Abrasions

All seriously abraded and weakened branches and twigs will be removed where they could constitute a hazard.

Any abrasion over 10 centimeters (4 inches) in diameter will be traced. The smaller of the two abrading branches will be removed unless such action will disrupt the natural form of the tree.

Where abraded or weakened branches or split crotches do not constitute an immediate hazard if left, and where their removal will mutilate the tree or destroy its natural form, added repair work may be undertaken. Such conditions should be reported in writing to the horticulturist who may authorize, at his sole discretion, additional repair work beyond that specified

Where a major cut has been made, where minor rot problems occur or where bark is frayed, damaged, ripped or lifted, tracing will be carried out. All loose or damaged wood will be removed.

Trees

Where trees are known to be diseased, pruning tools will be disinfected with alcohol or an approved substitute, prior to proceeding to trees where there is a known danger of transmitting the disease on tools

**Snubbing
of Ropes**

Where ropes are to be snubbed around healthy trunks or limbs in lowering and felling operations, care will be taken to ensure that no peeling, lifting, fraying or other bark damage occurs. Padding of trunks with burlap pads, or burlap pads under boards, will be carried out where necessary.

**Minimum
Clearance**

Except as is otherwise specified in these standards, clearance over roadways will be no less than 5 meters (16 feet). Over public walkways, clearance will exceed 2.5 meters (8 feet) unless otherwise specified by the horticulturist.

Where major drop crotch pruning is being carried out ensure that the new leader can carry the sap flow increased by the removal of the old terminal.

G. TRAFFIC CONTROL POLICIES**Signage**

All safety signing and traffic control will be carried out according to the Municipal Traffic Control Manual.

All vehicle and pedestrian rerouting will be done according to The Municipal Traffic Control Manual regulations.

Work Zone

When working over sidewalks or areas frequented by the public, the area under the tree plus at least 3 meters (10 feet) of safety strip will be controlled by the lead hand on the job.

Rush Hours

All work will be scheduled in such a way as to minimize the restrictions of vehicular and pedestrian routes.

H. EQUIPMENT POLICIES

C.S.A. Approval All safety equipment will be approved by the Canadian Standards Association for the purpose for which it is to be used.

Safety Belts Only C.S.A. approved safety belts and straps or safety belts and saddles, lanyards and other tree climbing equipment will be used by employees.

Hard Hats C.S.A. approved hard hats will be worn at all times on the work site and will be kept clear of foreign material, paint, stickers, cuts, etc.

Ladders Only ladders constructed of non-conductive material will be employed within 15.2 meters (50 feet) of any utility lines.

Ropes All ropes employed in lowering major limbs will be sized according to the following chart.

Type of Rope	Size	Safe Working Load
Standard Lay Nylon	12.7 mm (1/2")	509 kg. (1120 lbs.)
Standard Lay Polypropylene	12.7 mm (1/2")	323 kg. (710 lbs.)
Standard Lay Polypropylene	15.9 mm (5/8")	564 kg. (1240 lbs.)
Standard Lay Polypropylene	19.1 mm (3/4")	691 kg. (1520 lbs.)
Standard Lay Polypropylene	25.4 mm (1")	1168 kg. (2570 lbs.)
Standard Lay Manila	12.7 mm (1/2")	205 kg. (450 lbs.)
Standard Lay Manila	15.9 mm (5/8")	340 kg. (748 lbs.)
Standard Lay Manila	19.1 mm (3/4")	418 kg. (920 lbs.)
Standard Lay Manila	25.4 mm (1")	694 kg. (1530 lbs.)

All equipment utilized will be of suitable strength, reliability and design to effectively carry out the job specified.

Mobile Aerial Towers All mobile aerial towers will be insulated, maintained and tested so as to ensure the safety of an employee in the bucket or at any controls, should the lift come into contact with any energized utility line on the street.

All mobile aerial towers will conform with C.S.A. Standard #225.

Equipment

All pruning equipment will be capable of producing clean, cuts without tearing or unduly fraying the bark.

All equipment will be inspected on a regular basis and maintained at all times.

All equipment fluid levels will be checked on a regular basis; i.e. daily, weekly, monthly, etc.

All equipment will be circle checked prior to leaving the yard every morning.

All equipment will be kept clean at all times .

CHART NO. 1

(m) TREE CLEARANCE CHART FOR OVERHEAD LINES
TREE SPECIES AND RATE OF GROWTH

Extra Fast	Fast	Medium	Slow
Caroline Poplar Cottonwood Lombardy Poplar Aspen	Willow Silver Maple Manitoba Maple Tree of Heaven	Tulip Black Cherry Locust Elm Red Maple Norway Maple Sycamore Birch Pin Oak Red Oak Basswood Butternut Hackberry	Japanese Tree Lilac Walnut Ash Larch Norway Spruce Red Pine White Pine Scotch Pine Jack Pine Kentucky Coffee Linden
			Sugar Maple Horse Chestnut Hickory Bur Oak White Oak Beech Balsam Fir White Spruce Black Spruce Hemlock White Cedar Maidenhair Tree

CLEARANCES (IN FEET)

High Voltage Lines
22,000v-44,000vDistribution Lines
22,300v-12,000vService,
Lines
115v-230v

	4 Years		5 Years		3 Years			4 Years			5 Years			5 Years
	Top	Side	Top	Side	Top	Side	Over Hang	Top	Side	Over Hang	Top	Side	Over Hang	Side
Extra Fast	7'	5'	9'	6'	6'	4'	5'	9'	5'	7'	11'	6'	8'	3'
Fast	6'	5'	8'	6'	5'	4'	5'	7'	5'	6'	9'	6'	7'	3'
Medium	5'	4'	6'	5'	4'	3'	4'	6'	3'	5'	7'	4'	6'	2'
Slow	4'	4'	5'	5'	3'	3'	3'	4'	3'	4'	5'	4'	5'	2'

This table contains some allowance for sag but in the dead of winter an extra one to two feet (.7 meter) of clearance should be obtained on spans up to 300' (100 meters) in length and an extra 2' to 4' (.7-1.3 meters) on spans over 300' (100 meters) long on trees at center span.

CHART NO. 1(a)

CLEARANCE IN METERS

	High Voltage Lines 22,000v - 44,400v				Distribution Lines 2,300v - 12,000v								Service Lines 115v - 230v	
	4 Years		5 Years		3 Years			4 Years			5 Years			5 Years
	Top	Side	Top	Side	Top	Side	Over Hang	Top	Side	Over Hang	Top	Side	Over Hang	Side
Extra Fast	2	1.7	3	2	2	1.3	1.7	3	1.7	2	3.6	2	2.7	1
Fast	2	1.7	2.7	2	1.7	1.3	1.7	2	1.7	2	3	2	2	1
Medium	1.7	1.3	2	1.7	1.3	1	1.3	2	1	1.7	2	1.3	2	.7
Slow	1.3	1.3	1.7	1.7	1	1	1	1.3	1	1.3	1.7	1.3	1.7	.7

I. Contracting

When the Public Works Department is directed, by Committee and Council to remove a Healthy City Tree from City Road Allowance all costs relating to the removal are the responsibility of the homeowner who requested the removal.

The homeowner may select either the City Forestry Section or private tree contractor to remove the tree.

When a private tree contractor is to be used, the "City Tree Removal Permit" ("Appendix B") is to be completed prior to work commencing.

APPENDIX 'A'

"Prohibited Species"

- | | |
|--|------------------------------------|
| 1. <i>Acer saccharinum</i> | Silver Maple |
| 2. <i>Crataegus oxyacantha</i>
"Paul's Scarlet" | Paul's Scarlet Hawthorn |
| 3. <i>Malus</i> | Flowering Crab Apple |
| 4. <i>Populus</i> | Poplar |
| 5. <i>Salix</i> | Willow |
| 6. <i>Sorbus</i> | Mountain Ash |
| 7. <i>Elmus Parvifolia</i> | Chinese Elm |
| 8. <i>Acer Negundo</i> | Manitoba Maple
(Female Species) |



THE CORPORATION OF THE CITY OF HAMILTON

City Hall, 71 Main Street West, Hamilton, Ontario L8N 3T4

34

APPENDIX 'C'

PUBLIC WORKS DEPARTMENT - 526-4623

- A. Homeowner assumes all costs related to the removal of a City tree.
- B. Homeowner is required to pay the City the cost of one, balled and burlapped, minimum 7 centimeter (3 inch) caliper replacement tree for each city tree removed. (Approximate value \$250.00)

Replacement trees supplied from City nursery stock.

Replacement tree planting location to be determined by the Director of Public Works.

- C. Contractor to supply all necessary labour and equipment to remove City tree and stump, as well as any safety equipment and traffic control equipment that may be required.
- D. Tree to be cut and removed in a professional manner, flush to the ground and with a minimum amount of traffic disruption.
- E. Stump to be removed to a depth of 15 centimeters (6 inches) below grade. Cavity left by stump removal is to be filled to grade level with compacted top soil.

(NOTE: It is the responsibility of the contractor to obtain underground utility locates prior to the stump removal)

- F. Contractor to abide by all regulations of the "Occupational Health and Safety Act", "Electrical Utilities Safety Association (E.U.S.A.)" and the "Region of Hamilton-Wentworth Traffic Control Manual."
- G. Homeowner will have first option to accept or reject wood.
- H. All brush and debris resulting from the tree removal shall be cleared from the job site by the contractor. If a chipper is used, all chips are to be removed from the site.
- I. Public Liability/Property Damage and Automobile Insurance in the amount of \$1,000,000 per tree removal, naming the City as an additional insured, shall be deposited with the Director of Public Works prior to the commencement of any work.
- J. Statement of good standing with the Workmens Compensation Board to be submitted to the Director of Public Works prior to the commencement of any work.

- K. Upon the completion of the work it is the responsibility of the homeowner to contact the Director of Public Works to arrange a completion inspection.

In the event that work has not been completed to City standards, the Department of Public Works may complete the job with all associated costs being added to the homeowners tax assessment.

1. Company _____
Address _____
Phone No. _____
Authorized Signature _____
Title _____
Date _____
2. Property Owner _____
Address _____
Phone No. _____
Signature _____
Date _____

Notice to proceed with the removal of the City tree located at _____ and as indicated on the attached plan, Appendix 'A' is hereby granted.

J. G. Pavelka, P. Eng.
Director of Public Works

Date

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Parks and Recreation Committee presents its **FOURTEENTH** Report for 1987 and respectfully recommends:

1. That a purchase order be issued to Print Marketing Agency, Hamilton in the amount of \$25 923.96 including applicable taxes, for the printing and distribution of Program and Facilities Brochures, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: As this work is to be completed by September, 1987 for distribution, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, which states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council.

Lowest of three (3) tenders received. Funds provided in Administrative -Promotion and Publicity Account 0367-01-12.

2. (a) That approval be given to the lease renewal of the City owned lands at the north-west corner of Barton Street East and Sanford Avenue North, between the Corporation of the City of Hamilton and the Ministry of Government Services for the operation of an Air Pollution Monitoring Station for a five year period at a rental of \$25 per year plus taxes commencing January 1, 1988 with the option to renew for a further five years rent to be negotiated at that time and
- (b) That the City Solicitor be authorized and directed to execute the "Renewal of Lease" form.
3. (a) That the lease with Union Gas Limited for the City owned lands at 534 Dundurn Street South be renewed for a further period of ten years at a rental of \$500 per year, plus taxes estimated at \$2 293.23 commencing August 1st, 1987 and
- (b) That the City Solicitor be authorized and directed to prepare the necessary lease.

4. (a) That an Option to Purchase the property located at 255 Young Street executed by the owners Paul Fram and Patricia O'Connor on August 10th, 1987 and scheduled for closing on October 15th, 1987 be approved and completed,
- (b) That the City Solicitor be authorized and directed to execute the necessary agreement.

NOTE: This property which is required in connection with the proposed development of Stinson Neighbourhood Park has a frontage of approximately 24 feet along the northerly limits of Young Street by a depth of about 100 feet with structures thereon. The purchase price of \$82 000 is to be charged to account 0408-C66076.

5. (a) That the By-law amending the Parks By-law No. 77-221, Section 21, to prohibit the feeding of pigeons in Gore Park, be approved.
 - (b) That the Hamilton-Wentworth Regional Police be requested to enforce this By-law.
 - (c) That the Public Works Department erect the appropriate By-law signs to advise the public not to feed the pigeons.
- * 6. That those players registered in the Recreational Hockey "House League Programs" be restricted from also participating in the "Select League".

NOTE: This recommendation is in keeping with the resolution approved by the Recreation Affiliated Leagues which have been operating under Departmental guidelines for a number of years.

7. That the revised budget, appended hereto, with respect to 1987 estimates for the Ontario Summer Games, scheduled for 1988 be approved, on the understanding that same is recoverable through a grant provided by the Ministry of Tourism and Recreation.
8. (a) That effective September 1987, the annual Membership Fees for the Seniors Centres be increased as subjoined; and

* Recorded Vote, see page 1649

- (b) That an Admittance Fee of \$.50 per activity be instituted for Non-Members.

<u>Individual Centre</u>	<u>Existing Rate</u>	<u>Recommended Rate</u>	<u>January 1</u>	<u>June 1</u>
Resident	\$3.00	\$4.00	\$3.00	\$2.00
Non-Resident	\$4.00	\$5.00	\$4.00	\$3.00
<u>City Wide</u>				
Resident	\$6.00	\$7.00	\$5.00	\$3.00
Non-Resident	\$8.00	\$9.00	\$7.00	\$4.00

9. (a) That \$5 000 be allocated to the Central Public School Playground Equipment Project to match those funds raised in the community for the installation of a Creative Metal Play Climber on that site in accordance with the policy approved by City Council on 1986, May 13, and amended on 1986 October 28; and,

- (b) That the Executive Committee be requested to recommend the method of financing for this project.

NOTE: The project budget will be \$15 000.

10. (a) That the Real Estate Department be directed to negotiate with the owners of the Otis property in Industrial Sector-A Neighbourhood (on the north/west corner of Wentworth Street and Mars Avenue) with a view to purchasing .5 acres of land adjacent to the park for parks and recreational purposes.

- (b) That the cost of this land acquisition be charged to Account 0280-11 Reserve for land conveyed to the City for public purposes (Parkland).

NOTE: On December 20, 1982, the City acquired North Central Community Park from the Otis Elevator Company to implement the Neighbourhood Plan. A softball diamond was located on this property by the City. The area of the park is insufficient for older children and adults to safely play baseball on the site.

The lands surrounding the site are currently for sale and the purchase of .5 acres to expand the facility would increase the level of safety at which softball could be played in North Central Community Park.

Although North Central Community Park is not a designated priority one park, the opportunity has arisen to improve the safety of the park.

The estimated cost of the .5 acre purchase is \$65 000 and there are sufficient funds in the 5% park fund to cover the purchase.

11. That the Twelfth Report of the Parks and Recreation Committee approved by Council at its meeting of July 28th, which deleted "Individual Centre Memberships" in favour of City-Wide Membership Fees, be amended to provide for membership fees for "Individual Centres", as follows:

	Existing		Proposed Sept. '87		Jan. 1/88		June 1/88	
	Res.	Non-Res.	Res.	Non-Res.	Res.	Non-Res.	Res.	Non-Res.
Family	\$45	\$59	\$50	\$65	\$38	\$50	\$25	\$33
Adult	\$30	\$39	\$35	\$45	\$25	\$35	\$18	\$25
Youth	\$10	\$13	\$12	\$15	\$10	\$12	\$ 6	\$ 8
Child	\$ 8	\$10	\$10	\$13	\$ 8	\$10	\$ 5	7

12. (a) That approval be given to the establishment of a ten percent non-refundable deposit requirement for major special event rentals in arenas.
- (b) That the pro-rated membership fee reduction date for Arena Memberships be amended from February 1 to January 1 annually.
- (c) That the Membership and Admission Fees for arenas and outdoor pools as outlined on Schedule "A", appended hereto, be approved for the 1987-88 season.
13. That the ice time portion of the fee to participants to register in the Hockey and Ringette Programs operated under the jurisdiction and guidelines of the Culture and Recreation Department be increased commencing for the 1987-88 season as follows:

	<u>From (approved for '85 - '86)</u>	<u>Proposed</u>
One Child	\$22.00	\$25.00
Second Child in Family	\$17.00	\$22.00
Each additional Child in Family	\$12.00	\$17.00

NOTE: With the approval of the above, plus the cost of accident insurance of \$1 and an amount to support the costs of supplying equipment, sweaters, etc. as well as certain operating costs, the registration fee for most players will range from \$55 but will not exceed \$60.

14. (a) That the estimated cost of \$50 000 for the King's Forest Golf Cart Storage building project, as approved by Council on February 27, 1987, in item one of the Fourth Report of the Executive Committee, be increased by \$14 000 to a revised estimated cost of \$64 000.
- (b) That the Executive Committee be requested to determine the source of the additional estimated \$14 000 required.

NOTE: An amount of \$50 000 was provided in the 1987 Capital Budget for this project, and an additional \$10 500 was set up for this purpose some time ago. Based on the preliminary estimates provided, an additional \$3 500 would be required for the project.

The Pro-Manager indicates that to reduce the storage area to accommodate only 20 vehicles, would make the facility inadequate within two years.

15. (a) That \$2 500 be allocated to the Sherwood Heights School Playground Equipment Project to match those funds raised in the Community for the installation of equipment on that site in accordance with the policy approved by City Council on 1986 May 13, and amended on 1986 October 24, and
- (b) That the Executive Committee be requested to recommend the method of financing for this project.
16. (a) That approval be given to the action of the Director of Culture and Recreation in authorizing the North End T-Ball Association to utilize a propane barbeque in conjunction with their end of the season party in Eastwood Park on Sunday, August 23, 1987.

NOTE: Approval must be given pursuant to By-law 77-121.

- (b) That approval be granted to the Eastmount Community Centre to hold a "Picnic in the Park" to celebrate the Baseball 1987 Wrapup and 1987-1988 Community Involvement, in Eastmount Park on Saturday, September 19, 1987 (rain date Sunday, September 20, 1987).

NOTE: Two or three 45 gallon drums cut in half will be used to barbeque by the families. It is understood that approval would be granted subject to the group meeting the required fire and safety regulations.

17. (a) That the City assume responsibility for the operation of the Hamilton Museum of Steam and Technology as agents of the Region until December 31, 1987.
- (b) That ownership of the Museum of Steam and Technology be transferred from the Region to the City as of January 1, 1988.
18. That the theme of the 1988 Waterfront Celebrations be of a Scottish nature to coincide with the Robert Burns International Conference to be held in the City of Hamilton, July 25 and July 26, 1987.
19. That a purchase order be issued to Raincentre Irrigation Contractors Ltd., Waterdown, in the amount of \$38 150 including all applicable taxes, for the supply and installation of an irrigation system at Mohawk Sports Park in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

NOTE: Lowest of two (2) quotations received. Funds provided in Mohawk Sports Park, Stage 6, Account 0408-C76425.

20. For the information of Council, the following citizen members have been selected by the Parks and Recreation Committee, to sit on the Arts Advisory Committee for the City of Hamilton:

Mr. Arman Aziz
Mr. Lawrence Hobbins
Mr. Glen Mallory
Miss Jackie Munro
Ms. Katherine Porter
Mr. William Powell, Jr.
Mr. Jeff Seffinga

21. That leave be granted to introduce the following bill:

C-4 By-law to Amend Parks By-law No. 77-221 Respecting Feeding of Pigeons

RESPECTFULLY SUBMITTED,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

R. C. Prowse
Secretary

1987 August 18
Attachments

09/01/87

-1722-

Referred to in Section 7
of the Fourteenth Report of
the Parks and Recreation Committee


 ONTARIO SUMMER GAMES '88


HAMILTON

GAMES CHAIRMAN
Reg Whynott

GAMES MANAGER
Debbie Clark

GAMES COMMITTEE
Joe Broughton
Finance

John Edwards
Administration

Peter Gravelle
Promotion

Ray Johnson
Special Events

John Kiriakopoulos
Fund Raising

Jack Lee
Facilities

Colin Millar
Services

Jim Simpson
Sport Technical

Bob Sugden
Ceremonies

Mark Forster
Ministry Liaison

GAMES CABINET
Mayor Morrow
Alderman Collins
Alderman Gallagher
Alderman Murray
Bill Kriesel

1987 BUDGET

ONTARIO SUMMER GAMES

REVISED (April 30th, 1987)

The Executive Committee of the Ontario Summer Games requests the 1987 Budget be revised to better reflect the Committees needs.

0367

06

ONTARIO SUMMER GAMES

AMOUNT

ADJUSTMENT (+)

02

Temporary help- outside agencies \$6,000 \$2,000 +

11

Telephone 600 -

12

Advertising & Publicity 6,500 3,500 +

16

Postage 1,000 1,000 +

19

Contractual Staff 23,400 -

21

Office Supply & Stationary 3,000 3,000 +

27

Clothing 500 500 +

60

Ceremonies & Special Events 1,400 -

60

Program Printing 2,000 2,000 -

61

Sports Technical 2,400 1,000 +

62

Registration 2,000 1,000 -

74

Furnishings 1,000 1,000 +

91

Travelling (formally Acc't #58) 600 -

96

Meeting Expenses 1,500 1,500 +

TOTALS

\$51,900\$10,500 +

**These accounts will constitute work in progress accounts for 1988.

GAMES OFFICE - HAMILTON CITY HALL, 71 MAIN STREET WEST, L8N 3T4. 526-4646

John Eakins
Minister
Jim Keenan
Deputy Minister



Ministry of
Tourism
and
Ontario Recreation

ONTARIO SUMMER GAMES '88

HAMILTON

GAMES CHAIRMAN
Reg Whynott

GAMES MANAGER
Debbie Clark

GAMES COMMITTEE
Joe Broughton
Finance

John Edwards
Administration

Peter Gravelle
Promotion

Ray Johnson
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Bob Sugden
Ceremonies

Mark Forster
Ministry Liaison

GAMES CABINET
Mayor Morrow
Alderman Collins
Alderman Gallagher
Alderman Murray
Bill Kriesel

1987 BUDGET

ONTARIO SUMMER GAMES

REVISED (April 30th, 1987)

BREAKDOWN

0367

06

ONTARIO SUMMER GAMES

02

Temporary help - secretary September 1st thru Dec 31st
- part-time basis, 2-3 days per week

11

Telephone

12

Advertising & Publicity

- logo pins quantity 500
- folders for fundraising and promotion quantity 500
- brochures, quantity approx. 1,000

19

Contractual Staff

21

Office Supplies & Stationary

- envelopes (business & 9 x 12)
- general supplies

27

Clothing - promotional shirts for committee members

53

Ceremonies & Special Events

- booking of facilities

60

Program Printing

- prep work on Games Program

61

Sports Technical

- creating a volleyball centre court (Mohawk College)

62

Registration - designing and printing registration forms

74

Furnishings

91

Travelling - local travel

96

Meeting Expenses

- expenses incurred by the Executive Committee

GAMES OFFICE - HAMILTON CITY HALL, 71 MAIN STREET WEST, L8N 3T4, 526-4646

John Eakins
Minister
Jim Keenan
Deputy Minister



Ministry of
Tourism
and
Recreation

CULTURE & RECREATION DEPARTMENT

ARENAS & OUTDOOR POOLS

MEMBERSHIPS & ADMISSION FEES

SCHEDULE A

- | | | |
|--|--|--|
| 1. Arena Memberships
(to all City Arenas) | Existing (approved 1985-86)
Resident/Non Resident | Proposed (1987-88)
Resident/No Resident |
| Family | \$26 / \$34 | \$30 / \$39 |
| Adult | 16 / 21 | 18 / 23 |
| Youth | 8 / 10 | 9 / 12 |
| Child | 6 / 8 | 7 / 9 |
| Pensioner/Special Needs | 4 / 5 | 4 / 5 |
| Replacement | 1 | 1 no increase |
-
- | | | |
|--------------------------------------|--|--------------------|
| 2. Arena Admissions
(Non Members) | Existing (approved 1985-86)
Afternoon / Evening | Proposed (1987-88) |
| Family | 2.25 / 2.25 | 3.50 |
| Adult | 1.00 / 1.25 | 2.00 |
| Youth | .50 / .75 | 1.00 |
| Child | .25 / .50 | .75 |
| Pensioner/Special Needs | .25 / .50 | .75 |
-
- | | | |
|--------------------------------|---------------------------------|---|
| 3. Outdoor Pool
Memberships | Existing (approved
Pre-1981) | Proposed (1988)
Resident/No Resident |
| Family | \$5 / | 10 / 13 |
| Adult | 4 / | 6 / 8 |
| Youth | 2 / | 3 / 4 |
| Child | 1 / | 2 / 3 |
| Pensioner/Sp. Needs | 1 / | 2 / 3 |
| Replacement | .25 / | .50 / |
-
- | | | |
|---|---------------------------------|-----------------|
| 4. Outdoor Pool
Admissions
(No Members) | Existing (approved
Pre-1981) | Proposed (1988) |
| Family | N.A | \$2 / |
| Adult | .50 / | 1 / |
| Youth | .35 / | .50 / |
| Child | .15 / | .25 / |
| Pensioner/Sp. Needs | .15 / | .25 / |
-
5. All Arena & Outdoor Pool RENTALS - no increase recommended.
(ice time, rooms, special events etc.)

CULTURE & RECREATION DEPARTMENT

ARENA MEMBERSHIPS

SCHEDULE B - FOR INFORMATION

The following is the complete schedule of Arena Memberships proposed commencing for 1987-88 season and includes the 50% pro-rated reduction of the fee as of January 1, and the non-resident fees (30% surcharge) each rounded to the nearest dollar:

Arena Memberships	Full Rate	January 1
	Resident/Non Resident	Resident/Non Resident
Family	\$30 / 39	\$15 / 20
Adult	18 / 23	9 / 12
Youth	9 / 12	5 / 7
Child	7 / 9	4 / 5
Pensioner/Sp. Needs	4 / 5	2 / 3

* REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Parks and Recreation Committee presents its **FIFTEENTH** Report for 1987 and respectfully recommends:

1. (a) That, the Corktown Stinson O.N.I.P. design concepts for Carter, Corktown, Hunter Street/East Avenue and Wolverton Parks as well as improvements to Central Memorial Recreation Centre, as appended hereto, be adopted; and
- (b) That, Frank Basciano Landscape Architects be authorized to prepare contract documents and specifications for the aforementioned, referenced in (a) above; and
- (c) That, upon completion of (a) and (b) above, Frank Basciano Landscape Architects be authorized to proceed to public tender for the construction.
2. (a) That the construction of the new running track at Mohawk Sports Park be re-tendered, and
- (b) That the track site be relocated to an area 100 yards south of the originally proposed site, and
- (c) That the track be oriented east, and west, surrounding a soccer field.



RESPECTFULLY SUBMITTED,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

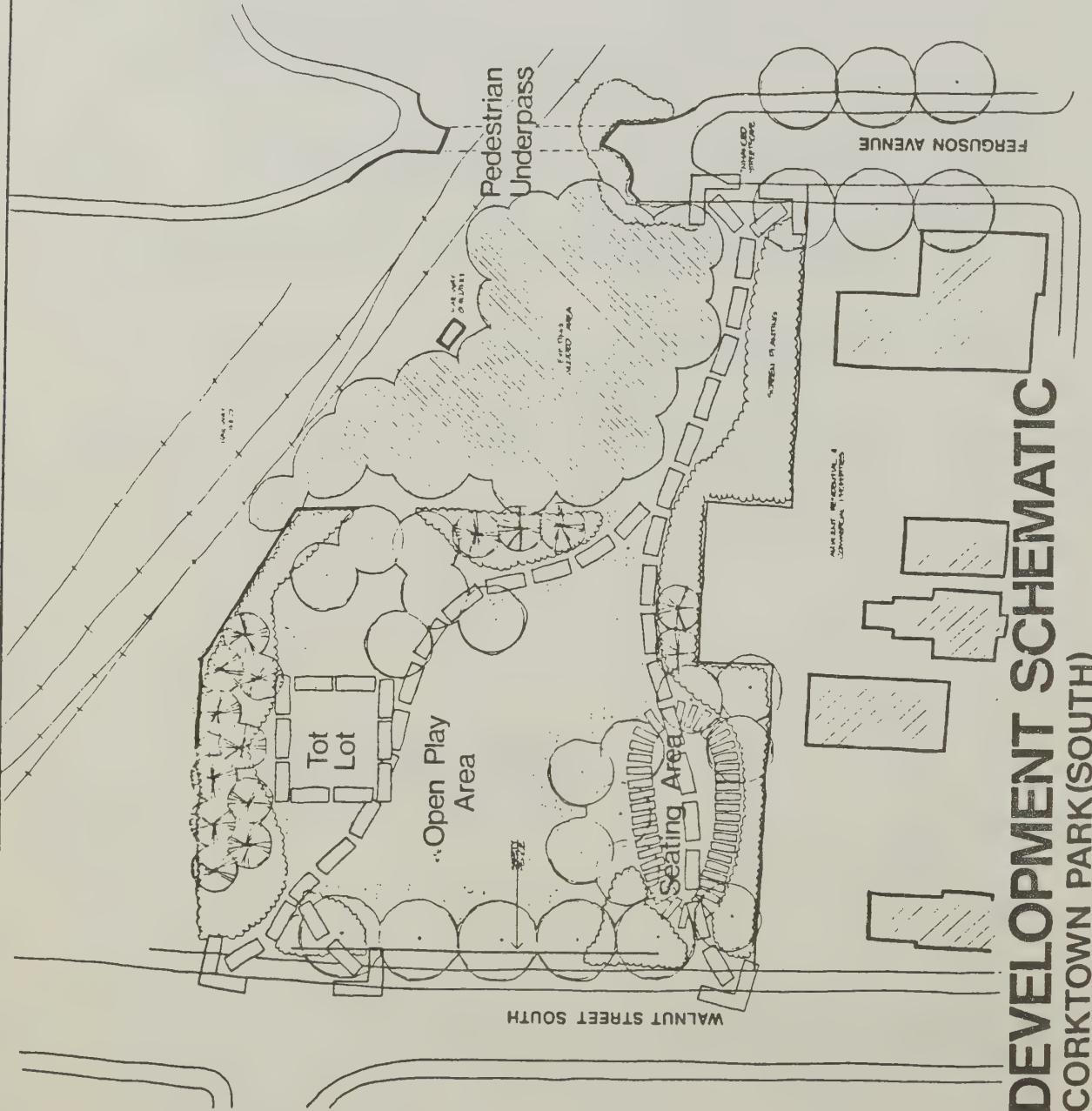
R. C. Prowse
Secretary

1987 September 01
Attach.

* **FIFTEENTH** Report of the Parks & Recreation Committee
added during Council.

 	FRANK HANCOCK LANDSCAPE ARCHITECT 1001 BROADWAY NEW YORK, N.Y. 10003	CORKTOWN / STINSON NEIGHBOURHOOD UNIT CITY OF HOUSTON DEPARTMENT OF PARKS AND RECREATION HOUSTON, TEXAS	1
	LANDSCAPE PLAN		

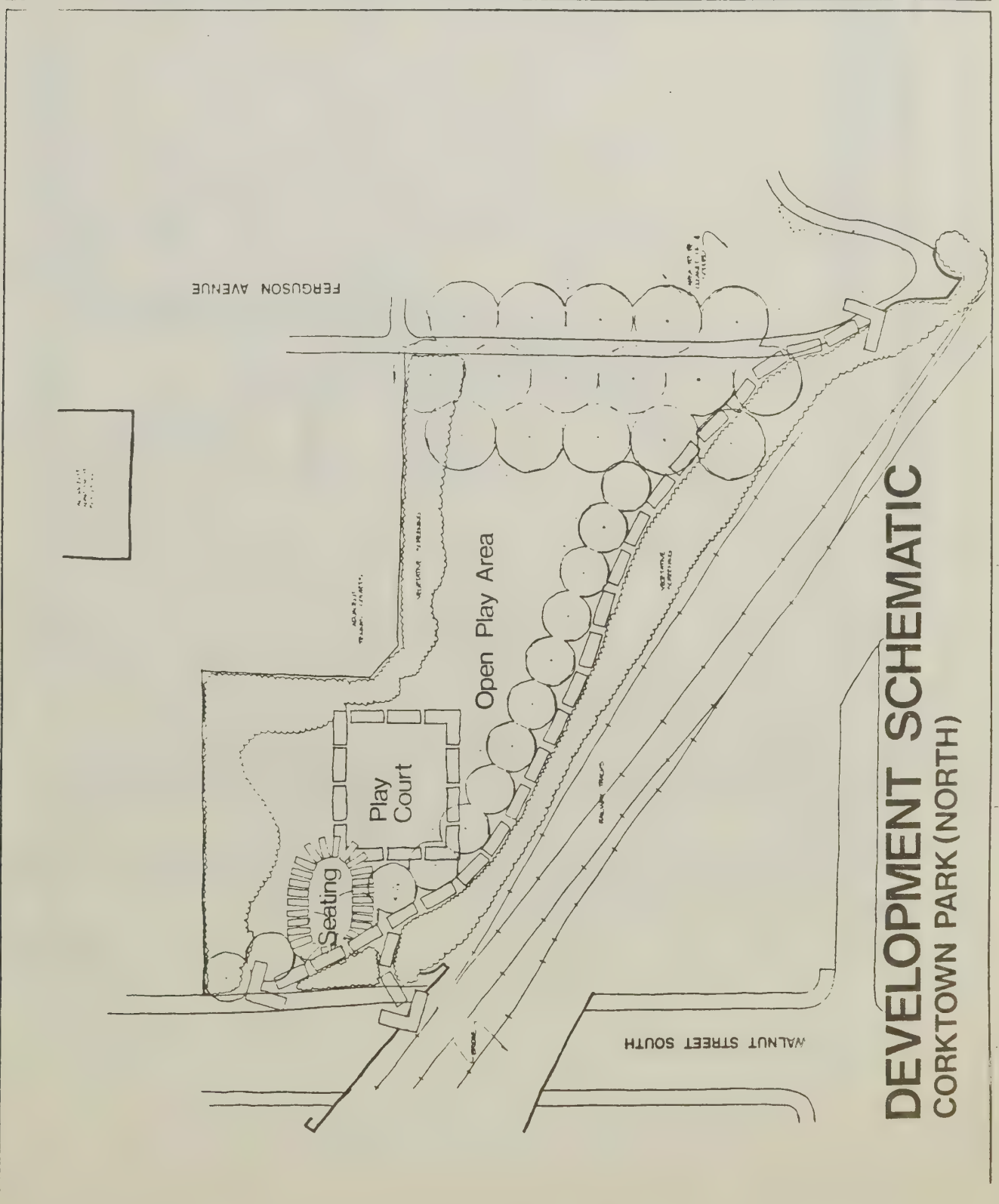
Referred to in Section 1 of the Sixteenth
Report of the Parks and Recreation
Committee.



DEVELOPMENT SCHEMATIC

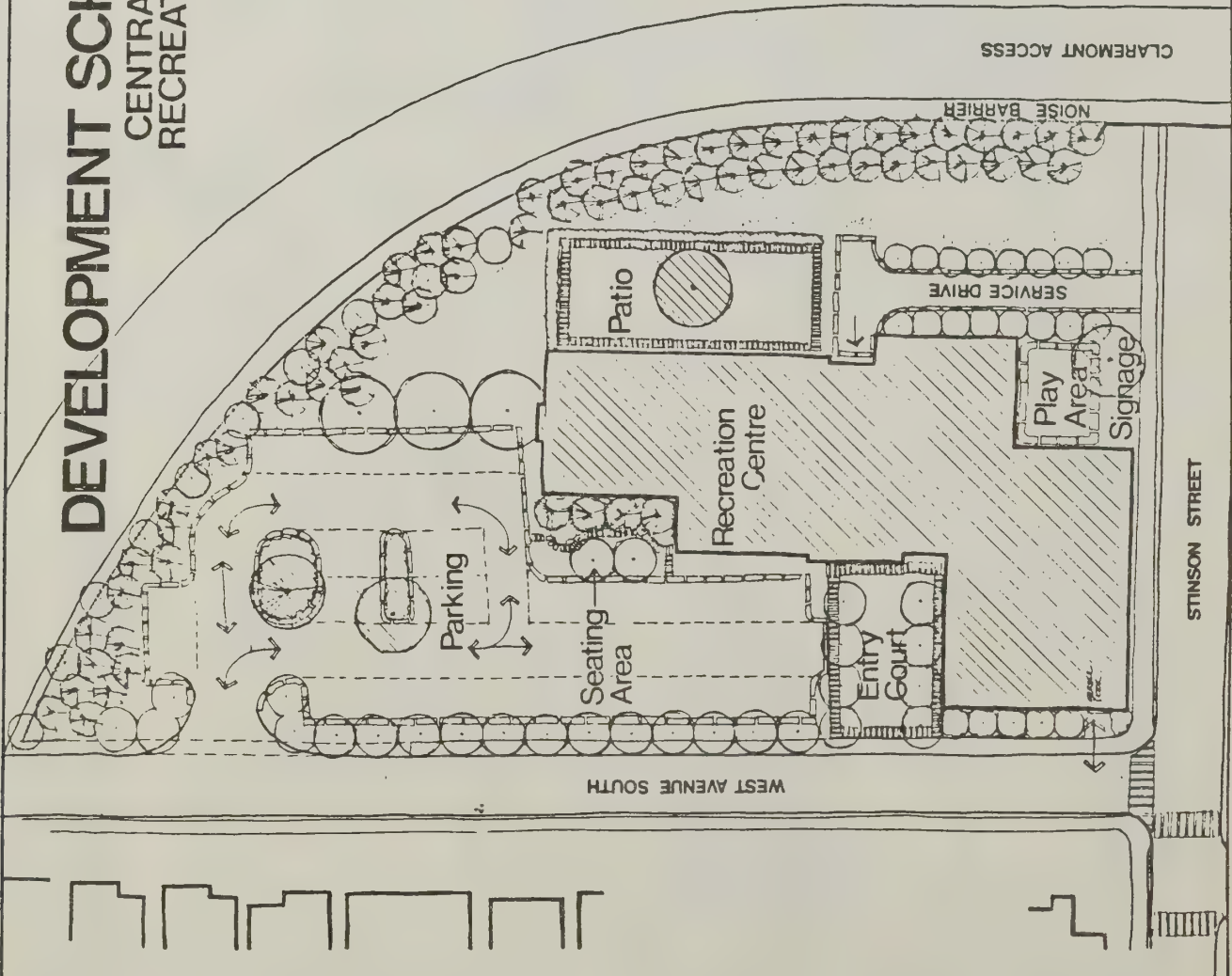
CORKTOWN PARK (SOUTH)

		TRANKA BROS. LTD. LANDSCAPE ARCHITECTS 1111 11th Avenue S.W. Calgary, Alberta T2P 1K1	CORKTOWN / STINKTON NEIGHBOURHOOD UNIT CITY OF CALGARY 1111 11th Avenue S.W. Calgary, Alberta T2P 1K1	LINES & PLAN 2
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DEVELOPMENT SCHEMATIC

CENTRAL MEMORIAL RECREATION CENTRE



FRANK BARNES
LANDSCAPE
ARCHITECT LTD.

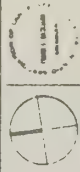
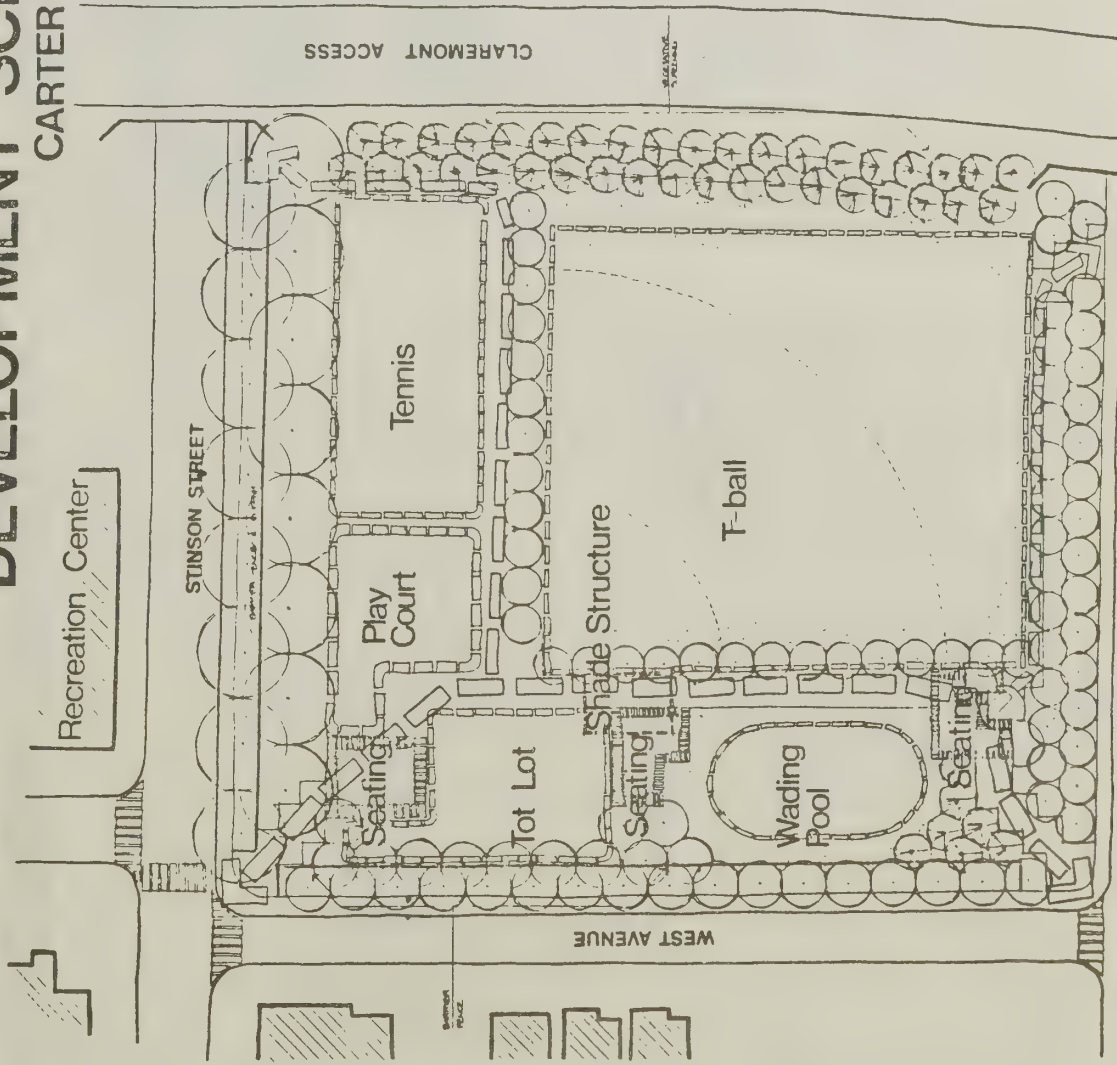
COUNTY OF STONING
NEIGHBOURHOOD UNIT
CITY OF HAMILTON
RECREATION DEPARTMENT

LANDSCAPE PLAN

3

Scale:	1" = 10'
North Arrow:	Up
Project No.:	1729
Sheet No.:	3

DEVELOPMENT SCHEMATIC CARTER PARK



TRANS. HAN. IN. 2' 1/2"
LAND. HAN. IN. 1"
ARCH. HAN. IN. 1/2"

CORVATOWN / STINSON
NEIGHBOURHOOD UNIT
CITY OF HAMILTON
REGIONAL AUTHORITY OF
HAMILTON, ONTARIO

LANDSCAPE PLAN

4

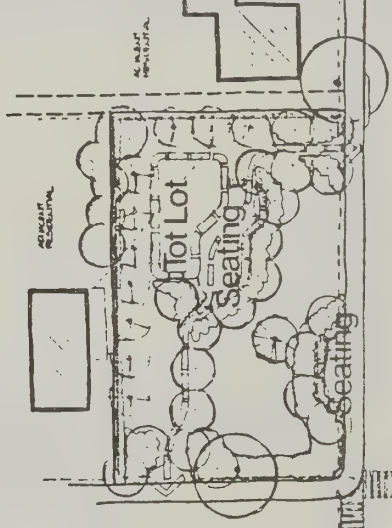
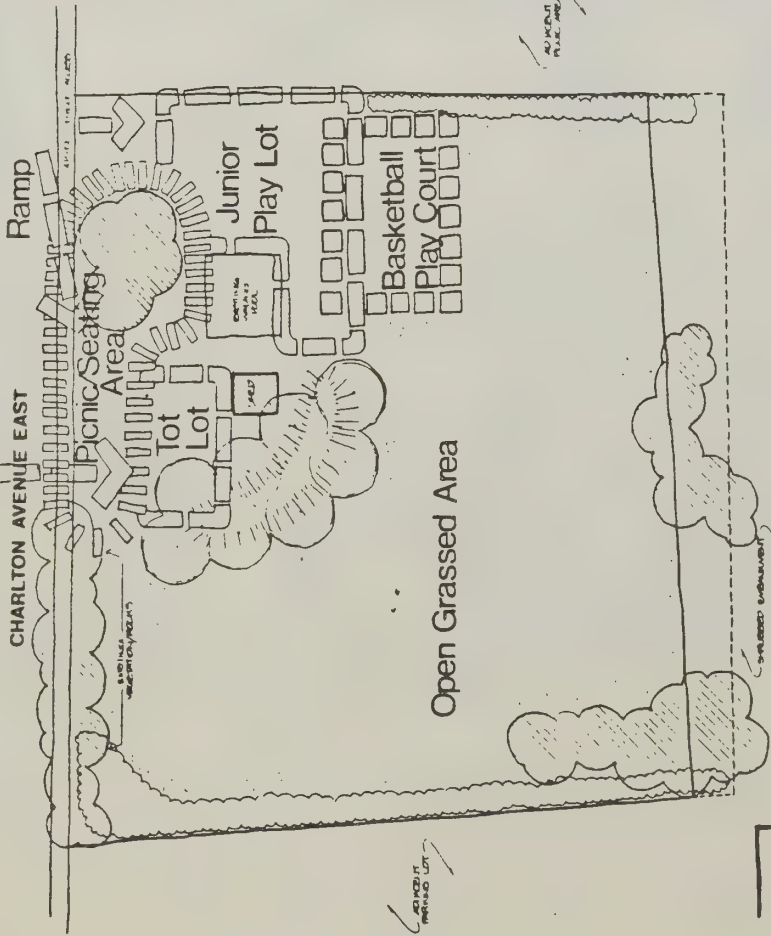
Scale: 1" = 10' 0"

DEVELOPMENT SCHEMATIC WOOLVERTON PARK

HUNTER &
EAST AVENUE

HUNTER STREET EAST

EAST AVENUE



FRANK R. KALIN
LANDSCAPE
ARCHITECT
P.C.
1000 W. 10TH AVE. SUITE 100
DENVER, CO 80202

CORRYTOWN / STANSON
NEIGHBORHOOD ONLY
CITY OF DENVER
RECREATION DEPARTMENT
DENVER, COLORADO

LANDSCAPE PLAN

Scale	1" = 20'
North Arrow	Top of Page
Sheet No.	1 of 1
Project No.	1731

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **Sixteenth** Report for 1987 and respectfully recommends:

- * 1. That Zoning Application 87-58, Tommar Construction Company, owner and prospective owner, requesting a change in zoning from "Q" (Neighbourhood Shopping Centre) District, modified, to "HH" (Restricted Community Shopping and Commercial, etc.) District to permit the development of the subject lands for a 4 273m² (45 000 sq. ft.), commercial plaza, for the property located at No. 2774 and 2794 King Street East as shown on the attached map marked as Blocks "1" and "2" on APPENDIX "A", be DENIED for the following reasons:
- (a) it is contrary to Council-adopted policy (approved Gershone Neighbourhood Plan) which prohibits highway uses such as restaurants, gas stations, etc., from locating on the subject lands;
 - (b) Block "2" does not comply with the Official Plan.
2. That APPROVAL be given to Zoning Application 87-59, May Scriven, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the development of the subject lands for 2 single family dwellings fronting on Rexford Drive, for the rear portion of the lands located at No. 1232 Upper Gage Avenue, as shown on the attached map marked as APPENDIX "B", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map F-38B;
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for the rear portions of the lands located at No. 1232 Upper Gage Avenue as shown on the attached map marked as APPENDIX "A".

* Section 1 Referred Back

3. That Zoning Application 87-60, BYM Construction Limited and Bergamont Development Limited, owners, requesting a change in zoning from "DE" (Low Density Multiple Dwellings) District, modified, and "G-3" (Public Parking Lots) District, modified, to "G" (Neighbourhood Shopping Centre) District, modified, to permit the 2928m² (31 157.76 sq. ft.) addition to the existing shopping plaza and the construction of a 279m² (3003.23 sq. ft.) free standing building, for the property located at No. 985 Upper Ottawa Street and No. 5 Carson Drive, shown as Blocks "1", "2" and "3" on the attached map marked as APPENDIX "C" be DENIED on the following basis:
 - (a) it is incompatible development with the existing adjacent residential properties.
4. That APPROVAL be given to Zoning Application ZA-87-54, Keith Cody, owner, requesting a modification to the established "D" (Urban Protected Residential One and Two-Family Dwellings etc.) District regulations applicable to property located at No. 308 East Avenue North, as shown on the attached map marked as APPENDIX "D", on the following basis:
 - (a) That the "D" (Urban Protected Residential One and Two-Family Dwellings, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variance as a special requirement.
 - (i) Notwithstanding Section 10.(1) of By-law No. 6593 only the following uses shall be permitted within the existing building:
 - 1) a storage warehouse for wallpaper and related supplies;
and
 - 2) an accessory office
 - (b) That the amending By-law be added to Section 19B of Zoning By-law 6593 as Schedule S-1035, and that the subject lands on Zoning District Map E-12 be notated S-1035;
 - (c) That the City Solicitor be directed to prepare a by-law to amend zoning By-law No. 6593 and Zoning District Map E-12;
 - (d) That the proposed change is in conformity with the Official Plan for the Hamilton Planning Area;

NOTE: The purpose of this By-law is to provide for a modification to the established "D" (Urban Protected Residential One and Two-Family Dwellings, etc.) District regulations applicable to the lands located at No. 308 East Avenue North

The effect of the By-law is to permit only the following uses within the existing building:

- (i) a storage warehouse for wallpaper and related supplies; and
- (ii) an accessory office.

5. That **APPROVAL** be given to Zoning Application 87-57, James Miles, owner, for a modification to the established "M-12" (Prestige Industrial) District regulations, for property located at Nos. 1148 and 1160 Rymal Road East, shown as Blocks "1" and "2" on the attached map marked as **APPENDIX "E"** on the following basis:

- (a) That the "M-12" (Prestige Industrial) District regulations as contained in Section 17D of the Zoning By-law No. 6593 as amended by By-law No. 87-24 be further amended as follows:
 - (i) That the lands described as Block "1" be added to Schedule "A" of By-law No. 87-24; and
 - (ii) That notwithstanding the provisions of Section 17D(1)(b), the following commercial uses shall be permitted on the lands described as Blocks "1" and "2":

Commercial Uses

	Identification No.
General Repair Garage	6351
Paint and Body Repair Shop	6352
Muffler Replacement Shop	6353
Motor Vehicle Glass Replacement Shop	6354
Motor Vehicle Transmission Repair and Replacement Shop	6355

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-998A, and that the subject lands on Zoning District Map E-59E be notated S-998A;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59E;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a modification to the established "M-12" (Prestige Industrial) District regulations applicable to property located at Nos. 1148 and 1160 Rymal Road East.

The effect of the By-law is to permit the following additional commercial uses within the established "M-12" (Prestige Industrial) District:

- (i) Auto body paint and repair shop;
- (ii) General repair garage;
- (iii) Muffler replacement shop;
- (iv) Motor vehicle glass replacement shop;
- (v) Motor vehicle transmission repair and replacement shop;
- (vi) Other motor vehicle repair shop.

- * 6. That Zoning Application 87-61, Ritlyn Investments Limited, owner, requesting a further modification to the established "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations for property located at No. 234 Queen Street South, as shown on the attached map marked as APPENDIX "F" be DENIED on the following basis:

- (a) Lack of adequate parking facilities for the affected property.
- (b) Dense traffic flow at the corner of Queen Street and Charlton Street.

* Section 6 Referred Back

7. That **APPROVAL** be given to an amended Zoning Application 87-66, Polonia Club Limited, owner, requesting a modification to the "C" (Urban Protected Residential, etc.) District for property located at 4A, 4B and 4-1/2 Solidarnosc Place, shown as Block "1" on the attached plan marked **APPENDIX "G"** on the following basis:

- (a) That the "C" (Urban Protected Residential, etc.) District regulations applicable to Block "1" be modified as follows:
- (i) That notwithstanding Section 9.(1) of By-law No. 6593, the following uses shall be permitted in a building having a maximum gross floor area of $2\,300\text{m}^2$ (24 757.8 sq. ft.) and a capacity of 500 persons:
 - 1. a social club; and
 - 2. ancillary offices having a maximum of 300m^2 (3 229.3 sq. ft.).
 - (ii) That the front yard provisions of Section 9.(3)(i) of By-law No. 6593, shall not apply to the northerly front lot line of Block "1";
 - (iii) That notwithstanding Section 9.(3)(iii) of By-law No. 6583, no rear yard shall be required from the northerly lot line of Block "1".
- (b) That the amending By-law be added to Section 19B of the Zoning By-law No. 6593 as Schedule S-1036 and that the subject lands on Zoning District Map E-32 be notated S-1036;
- (c) That the Stipeley Neighbourhood Plan be amended by redesignating the western half of the subject lands from "Residential - Single and Double" to "Civic and Institutional"; and,
- (d) That the proposed change in Zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (e) That By-law No. 79-275 establishing Site Plan Control be amended by adding the subject lands to Schedule "A".

NOTE: The purpose of the By-law is to provide a modification to the "C" (Urban Protected Residential, etc.) District for property located at 4A, 4B and 4-1/2 Solidarnosc Place, shown as Block "1" on the attached plan marked **APPENDIX "G"**.

The effect of the By-law is to permit the expansion or replacement of the existing club building having a maximum gross floor area of 2 300 m² including 300 m² of ancillary office space and a maximum capacity of 500 persons.

In addition, the By-law provides for the following variances:

- (i) to require no front yard, whereas a minimum front yard of 6.0m (19.69 ft.) is required under Section 9.(3)(i) of Zoning By-law 6593; and,
- (ii) to require no rear yard whereas a minimum rear yard 7.5m (24.61 ft.) is required under Section 9.(3)(iii) of Zoning By-law 6593.

8. That APPROVAL be given to an amended Zoning Application ZA-87-77, for Hourigan Management Inc., prospective owner, for a change in zoning from "E-3" (High Density Multiple Dwellings District to "HI" (Civic Centre Protected) District and for a further modification to the established "HI" (Civic Centre Protected) District regulations, for property located on the east side of Hess Street South, between Main Street West and George Street, as shown on the attached map marked as APPENDIX "H" on the following basis:

- (a) That the lands described as Block 1 be rezoned from "E-3" (High Density Multiple Dwellings) District to "HI" (Civic Centre Protected) District;
- (b) That the "HI" (Civic Centre Protected) District regulations as contained in Section 15A of Zoning By-law No. 6593 applicable to the lands described as Blocks 1 and 2 be modified to include the following variances as special requirements:
 - (i) Notwithstanding Section 15A(1) a lodging house consisting of 96 rooms for the accommodation of elderly persons, of at least 55 years of age shall be permitted.
 - (ii) Notwithstanding Section 15A(2)(ii) no side yards shall be required for a building or structure up to a height of six storeys or 22.0 m.
 - (iii) Notwithstanding Section 18A Table 1.(K), a minimum of 27 parking spaces shall be provided;
 - (iv) Notwithstanding Section 18.A(10) the manoeuvring space for the required loading space shall be permitted in the access driveway;

- (v) That Sections 18A(11)(a) and (b) and 18A(12)(a) and (b) shall not apply;
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1037, and that the subject lands on zoning District Map W-4 be notated S-1037;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-4;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning of the lands described as Block 1 on the attached map from "E-3" (High Density Multiple Dwellings) District to "HI" (Civic Centre Protected) District. In addition, the By-law will provide modifications to the "HI" (Civic Centre Protected) District regulations applicable to the lands described as Blocks 1 and 2 on the attached map as follows:

Section 15A(1)	to permit a lodging house consisting of 96 rooms for the accommodation of elderly persons, of at least 55 years of age, whereas an ordinary lodging house is not permitted;
Section 15A(2)(ii)	to permit "Ø" side yards, whereas side yards of 3.0 m are required for a building or structure above the height of four storeys or 17.0 m (55.7 ft.);
Section 18A Table 1(K)	to provide a minimum of 27 parking spaces whereas a minimum of 32 parking spaces are required.
Section 18A(10)	to permit the manoeuvring space for the required loading space to be provided in the access driveway which otherwise is not permitted.

Sections 18A(11)(a) & (b) to delete the required 1.5m wide
Sections 18A(12)(a) & (b) landscaped planting strip and
front yard setback from the
street line of George Street for
the surface parking and loading
area adjoining lands within a
residential district which
otherwise would apply.

9. That Zoning Application 87-53, Goodbram Investments Limited, owner, requesting a change in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) District to permit the development of the subject lands for a one storey, 743.2m² (8,000 sq. ft.) office retail plaza for the property located at No. 1150 Upper James Street, as shown on the attached map marked as **APPENDIX "I"**, be **denied** for the following reasons:
- (a) It is located within the limits of the property required for the approved future Upper James Street interchange and the East-West Transportation facility. Consequently, any development permitted within this roadway designation will seriously impact on the Region's construction of the Freeway.
 - (b) It does not comply with the Region of Hamilton-Wentworth and the City of Hamilton Official Plans.
10. (a) That **APPROVAL** be given to Application SA-87-13, Thomas J. Cooper and Marjorie J. Cooper, owners, to establish a draft plan of subdivision at the west end of Kennedy Avenue south of Rymal Road West, subject to the following conditions:
- (i) That this approval apply to the plan prepared by Ashenhurst Nouwens Limited dated 1987 May 6, showing 5 lots and 1 block, revised by the widening of Block 6 to include 5% of the lands in the plan and a street rounding.
 - (ii) That the road allowance be dedicated as public highway on the final plan.
 - (iii) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - (iv) That the final plan conform with the Zoning By-law approved under The Planning Act.

- (v) That the owner convey 5% of the lands included in the plan to the City of Hamilton for park purposes, said conveyance to comprise of "Block 6".
 - (vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot on the final plan.
 - (viii) That the owner shall erect a sign in accordance with Section X of the Subdivision Agreement.
 - (ix) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton, prior to the issuance of a final release by the City of Hamilton.
 - (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-87-13), Thomas J. Cooper and Marjorie J. Cooper, owners, proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
11. That the City Clerk inform the Regional Municipality of Hamilton-Wentworth, that the City of Hamilton does not object to the proposed modifications by the Minister of Municipal Affairs, to bring the Hamilton-Wentworth Official Plan into conformity with the Niagara Escarpment Plan.

NOTE: The Minister of Municipal Affairs has proposed modifications to the Hamilton-Wentworth Official Plan which would bring the Official Plan into conformity with the Niagara Escarpment Plan as required under the Niagara Escarpment Planning and Development Act. The proposed modifications do not conflict with the planning intentions of the City of Hamilton. Since the Niagara Escarpment Plan takes precedence over both the Hamilton-Wentworth and City of Hamilton Official Plans, the proposed modifications would not change the effect of the Niagara Escarpment Plan on the City of Hamilton.

A copy of the Minister's letter and the Proposed Amendments were presented to the Planning and Development Committee. Additional copies are available from the Acting Secretary.

- * 12. (a) That the City of Hamilton retain the name of Burlington Street, and;
- (b) That the Regional Clerk be notified of Council's decision.

NOTE: Regional Council, at their meeting held 1986 November 4, referred a proposal to change the name of Hamilton's Burlington Street to Industrial Drive, to Hamilton City Council.

On 1986 December 10th, the Planning and Development Committee directed staff to solicit comments on this proposal from affected property owners.

In response to 684 notices that were sent out to affected property owners on 1987 May 8th, 6 were in favour of the proposal, 28 were opposed and 16 notices were returned. This response represents about 5% of the notification.

Based on the response received, the Planning Department has recommended, and the Planning and Development Committee has concurred, that the City of Hamilton retain the name of Burlington Street.

- 13. (a) That the Corporation of the City of Hamilton acknowledge that the Developer is transferring a total of 1,805.07m² of parklands and open space lands, as partial fulfillment of the 5% Parkland dedication requirement for the "Nash Orchard Heights West" subdivision, and
- (b) That the City subdivision agreement for "Nash Orchard Heights West" make provisions to hold securities totalling \$110 000.00, being the market value of the remaining portion of the 5% Parkland dedication requirement which is 1,540.28m². The said securities to be held until 1990. At that time the Developer will either transfer to the City lands equal to the deficient parkland area of 1,540.28m² or make a cash payment of \$110 000.00 in lieu of dedicating the said lands.

NOTE: The Developer has an option to purchase the "Nash Orchard Heights South" plan of subdivision which he hopes to develop in 1990.

* Section 12 Amended to read:

- 12. That the City of Hamilton approve the street name change of Burlington Street from Wellington Street - east to the eastern City limits to Industrial Drive.

Recorded Vote, see page 1650

14. That the City Solicitor be authorized and directed to hire an outside Planning Consultant to give evidence at the Ontario Municipal Board Hearing in support of City Council's denial of ZA-86-113, to rezone the property at No. 828 Fennell Avenue East from "C" to "H", as set out in Item 8 of the 8th Report of the Planning and Development Committee, adopted by Council on 1987 April 28.
15. That the interim account of Weir and Foulds, Barrister and Solicitors, dated 1987 July 27, in the amount of \$2 128.50 for fees and \$86.57 for disbursements for a total of \$2 215.07 be paid.

NOTE: This account covers services from 1987 April 4 to 1987 June 29.

This involves a Supreme Court of Ontario action by the architects of the Hamilton Central Library and Farmers' Market for further fees and interest in the amount of some \$600 000.00.

By adopting Section 20 of the Twenty-Fifth Report of the Planning and Development Committee at its meetings of 1985 September 24, City Council approved that the firm of Weir and Foulds, Barristers and Solicitors be retained under the direction of the City Solicitor to act for the City. Examinations for Discovery are presently taking place.

16. That the Building Commissioner be authorized to issue demolition permits for the demolition of the following residential buildings:
 - (a) 527 Upper Wellington
 - (b) 202 Glow Avenue
 - (c) 965 Stonechurch Road East
 - (d) 134 Bay Street North
17. That an Offer to Purchase the lands of The Corporation of the City of Hamilton, Lot 17, Plan M-227 located on Nebo Road, duly executed on 1987 July 15, by the Purchaser, 723485 Ontario Limited and schedule for closing on 1987 October 2, be approved and completed.

NOTE: The purchase price is \$97 140.00. A deposit cheque in the amount of \$9 714.00 is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of land located on the western limit of Nebo Road, having a frontage of 201 feet by a depth of 405.68 feet/433.31 feet and containing an area of 1.9428 acres.

This Offer to Purchase is conditional upon the following conditions being met prior to closing:

- (a) That the Vendor will obtain a Zoning Verification Certificate that will indicate that the Purchaser's proposed uses are allowed on the subject lot.
- (b) That the Purchaser will obtain at its own expense a soil test confirming that the subject land will support the construction of the building proposed to be constructed by the Purchaser.
- (c) That the Purchaser will have obtained site plan approval and a building permit allowing the construction of the building proposed to be built by the Purchaser on the subject lands.
- (d) Failing the satisfaction of anyone or all of these conditions this Offer shall be null and void and the deposit shall be returned to the Purchaser without interest or deduction.
- (e) The aforesaid conditions are included for the benefit of the Purchaser and may be waived by it.
- (f) It is understood and agreed that the Vendor upon closing of this transaction will pay a 5% Real Estate Commission to Chambers & Company Limited, whose agent Mr. M. A. Blair acted in this matter.

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached herewith as **APPENDIX "J"**.

- 18. (a) That the closing of the transaction dated 1987 February 3, between Ironwood Design and Construction Ltd. and the City of Hamilton for Parts 9 and 10, Plan 62R-6932 - 35 Keefer Court be extended to November 25, 1987.
- (b) That time continue to remain of the essence of the agreement and all other terms and conditions of the agreement are to remain the same.
- 19. That the application for the severance of 126 and 128 Robert Street, under the Rental Housing Protection Act, be **APPROVED UNCONDITIONALLY** on the following basis:
 - (a) Approval of this Severance application will not adversely affect the supply of affordable rental housing in the City of Hamilton.

20. That the Provincial Minister of Government Services be requested to display the Canadian, Provincial, Regional and Municipal flags, in a continuous, consecutive and close proximity fashion, along the King Street wall of the Hamilton Convention Centre.
21. That leave be granted to introduce the following bills:
- (a) Bill No. D-105 A By-law to Designate the Property Located at Municipal No. 25 Tecumseh Street as Property of: Historic and Architectural Value and Interest.
 - (b) Bill No. D-106 A By-law to Designate the Property Located at Municipal No. 158 Mary Street as Property of: Historic and Architectural Value and Interest.
 - (c) Bill No. D-107 A By-law to Adopt the Corktown/Stinson Community Improvement Plan.
 - (d) Bill No. D-108 A By-law to Designate the Property Located at Municipal No. 116 MacNab Street South as Property of: Historic and Architectural Value and Interest.
 - (e) Bill No. D-109 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 505 Queenston Road.
 - (f) Bill No. D-110 A By-law to Designate the Property Located at Municipal No. 55 Main Street West as Property of: Historic and Architectural Value and Interest.
 - (g) Bill No. D-111 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the East Side of Hess Street South, Between Main Street West and George Street.
 - (h) Bill No. D-112 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1814 King Street East.

Respectfully submitted,

Susan K. Reeder
Acting Secretary
1987 August 12

ALDERMAN J. SMITH, CHAIRMAN
PLANNING & DEVELOPMENT COMMITTEE

09/01/87

ORLANDA ROAD

E-2/S-34

STREET EAST 11

6/5-966
BLOCK 2

AA 2290

VIENNA STREET

CHERRYRIDGE CLOSE

Map of the Monte Court neighborhood in Chicago, showing street layouts and house numbers. The map is oriented with Monte Court at the top and Monte Drive at the bottom. The central intersection is marked with a large 'C' and the text 'MONTE COURT'. The map shows several streets including Monte Court, Monte Drive, and Monte Avenue. House numbers are provided for many of the lots. A large 'D/S 543' is written vertically on the left side of the map.

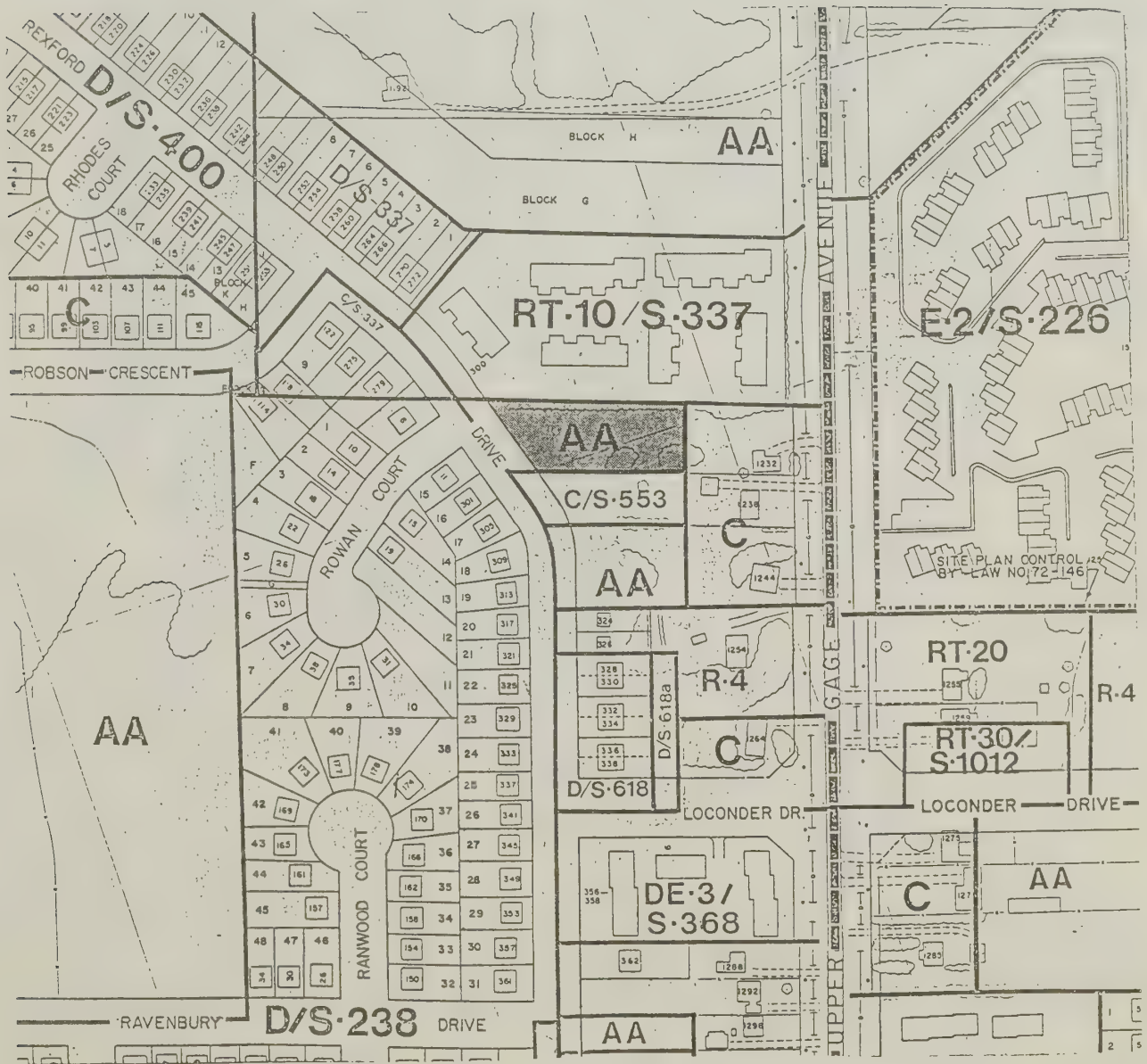
Street	House Number
Monte Court	45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822,

A hand-drawn diagram of a rectangular court layout. The top wall is labeled "D/S-543". The left wall is labeled "P. V. ROTTI COURT". The right wall has a large circle labeled "C" and a small box labeled "35". The court is divided into 10 numbered sections (1-10) along the top wall. Each section contains a small box with a number: 1 (10), 2 (10), 3 (10), 4 (10), 5 (10), 6 (10), 7 (10), 8 (10), 9 (10), 10 (10). The bottom wall is empty.

LEGEND

BLOCK 2

APPENDIX A

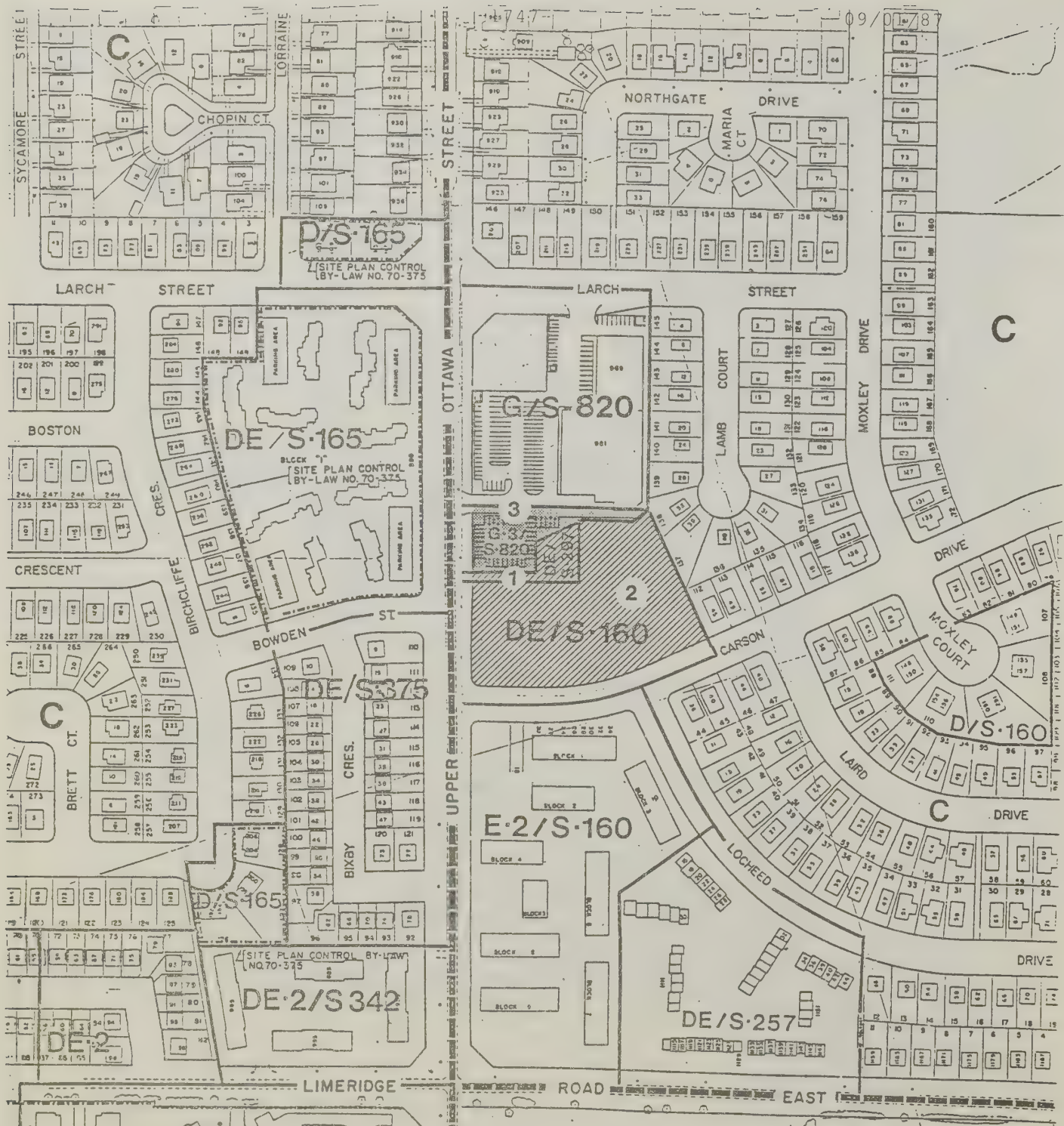


LEGEND



SITE OF THE APPLICATION

APPENDIX "B" as referred to in Section 2 of the 16th Report of the Planning and Development Committee



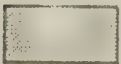
LEGEND

BLOCKS 1 & 2



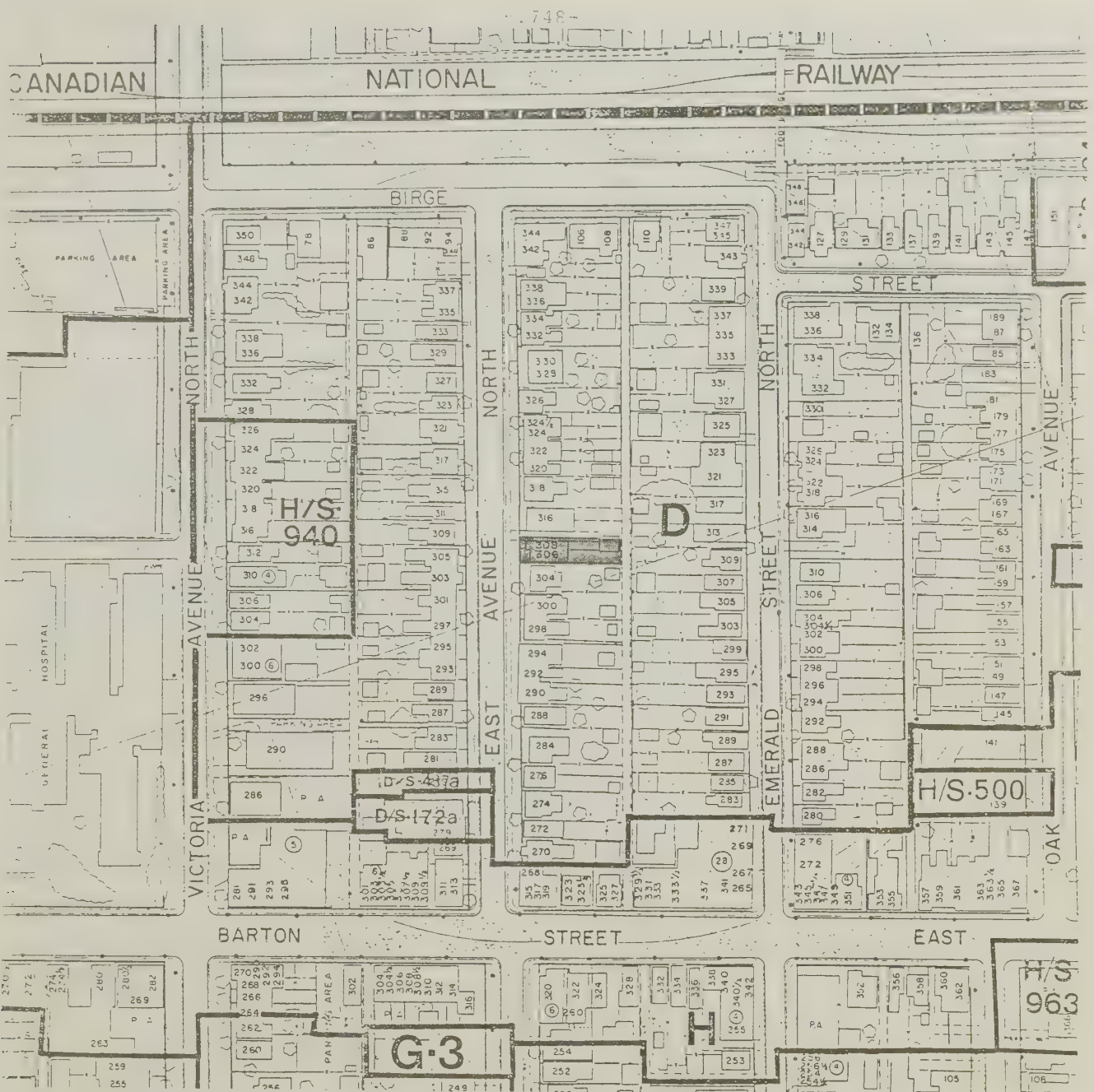
CHANGE IN ZONING FROM "DE" (LOW DENSITY MULTIPLE DWELL) TO "G" (NEIGHBOURHOOD SHOPPING CENTRE, ETC.) DISTRICT.

BLOCK 3



CHANGE IN ZONING FROM "G-3" (PUBLIC PARKING LOTS) DI TO "G" (NEIGHBOURHOOD SHOPPING CENTRE, ETC.) DISTRICT.

APPENDIX "C" as referred to in Section 3 of the 16th Report of the Planning and Development Committee

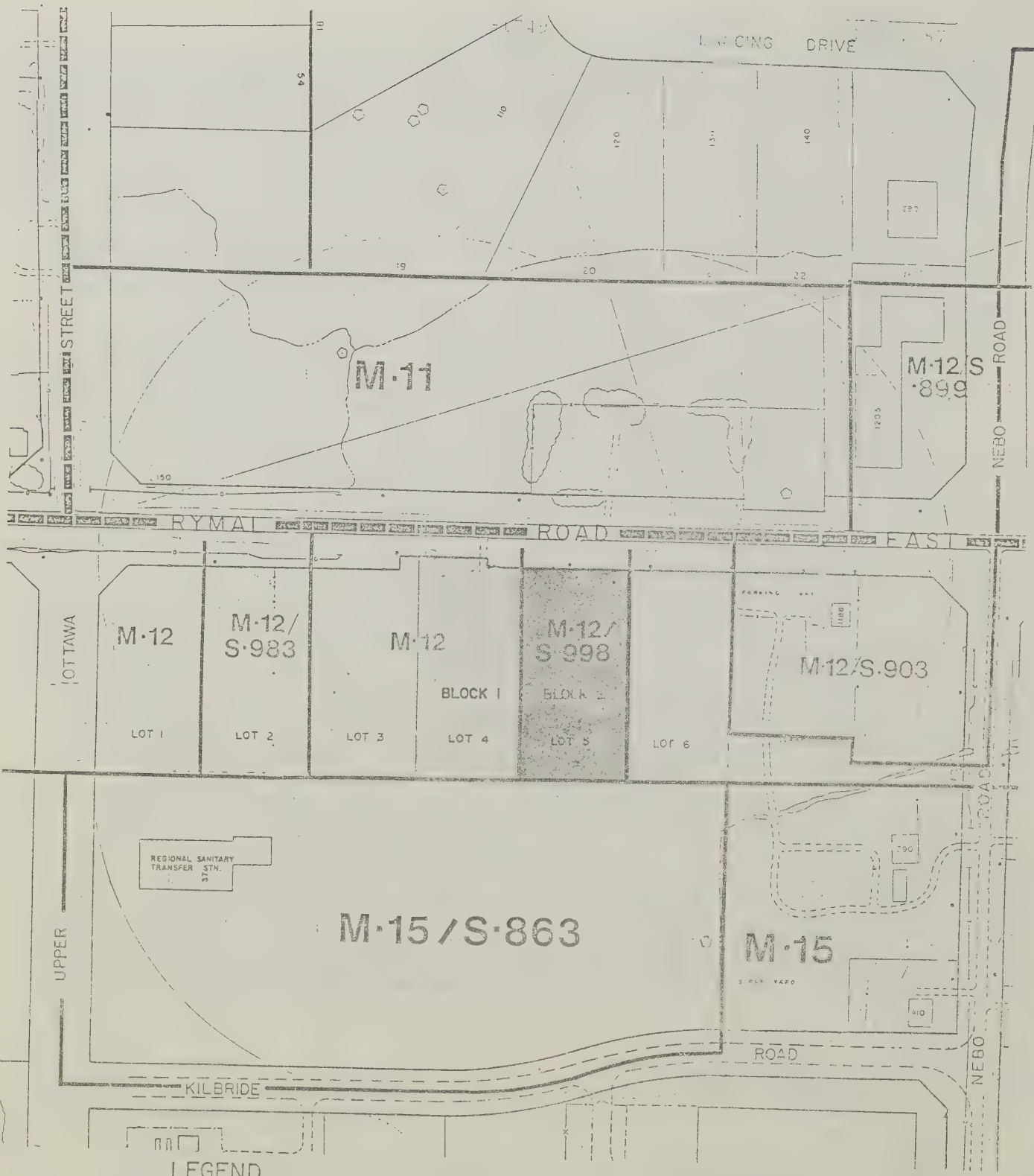


LEGEND



SITE OF APPLICATION

APPENDIX "D" as referred to in Section 4 of the 16th Report of the Planning and Development Committee

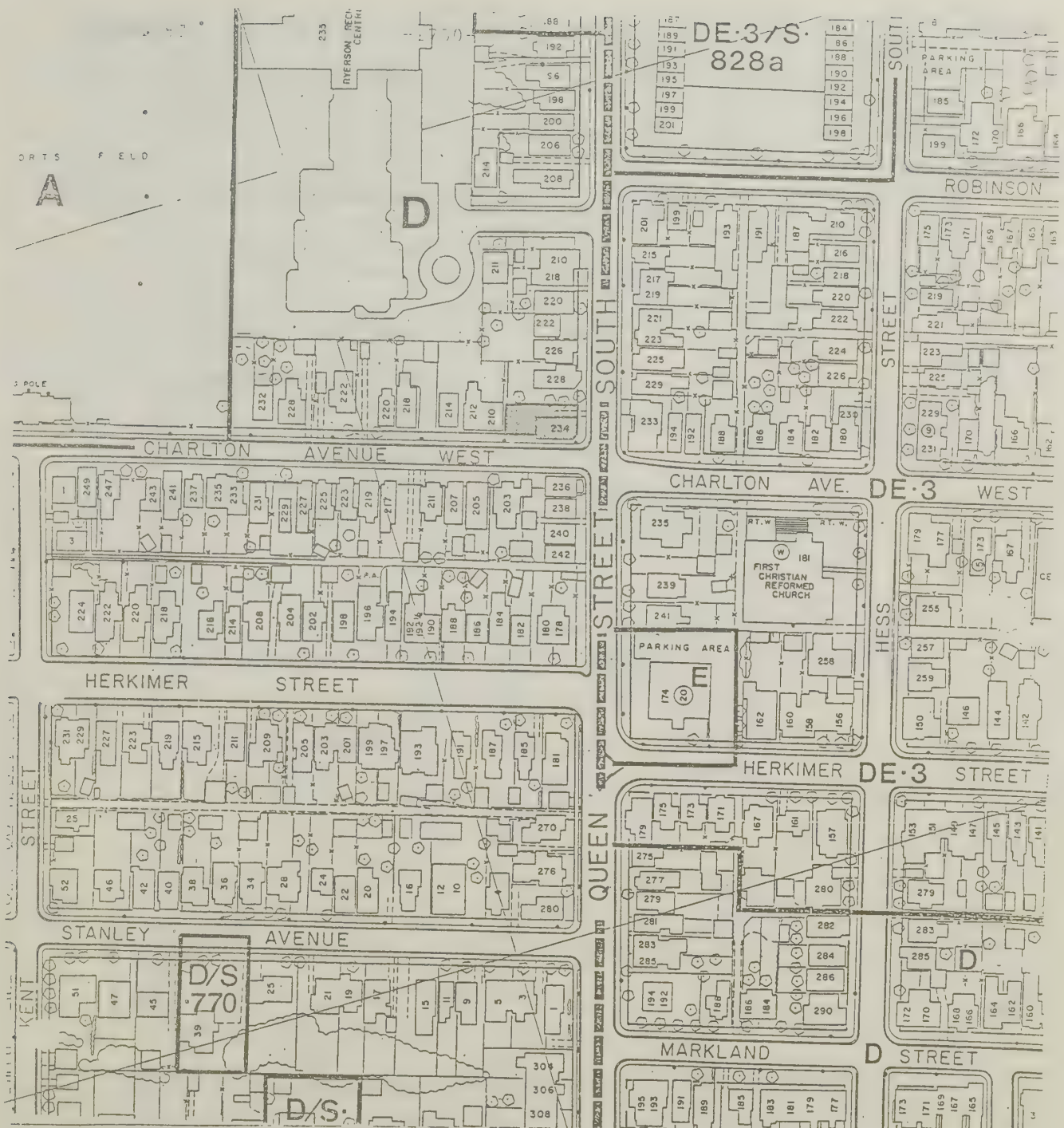


LEGEND

BLOCK 1
BLOCK 2

SITE OF APPLICATION

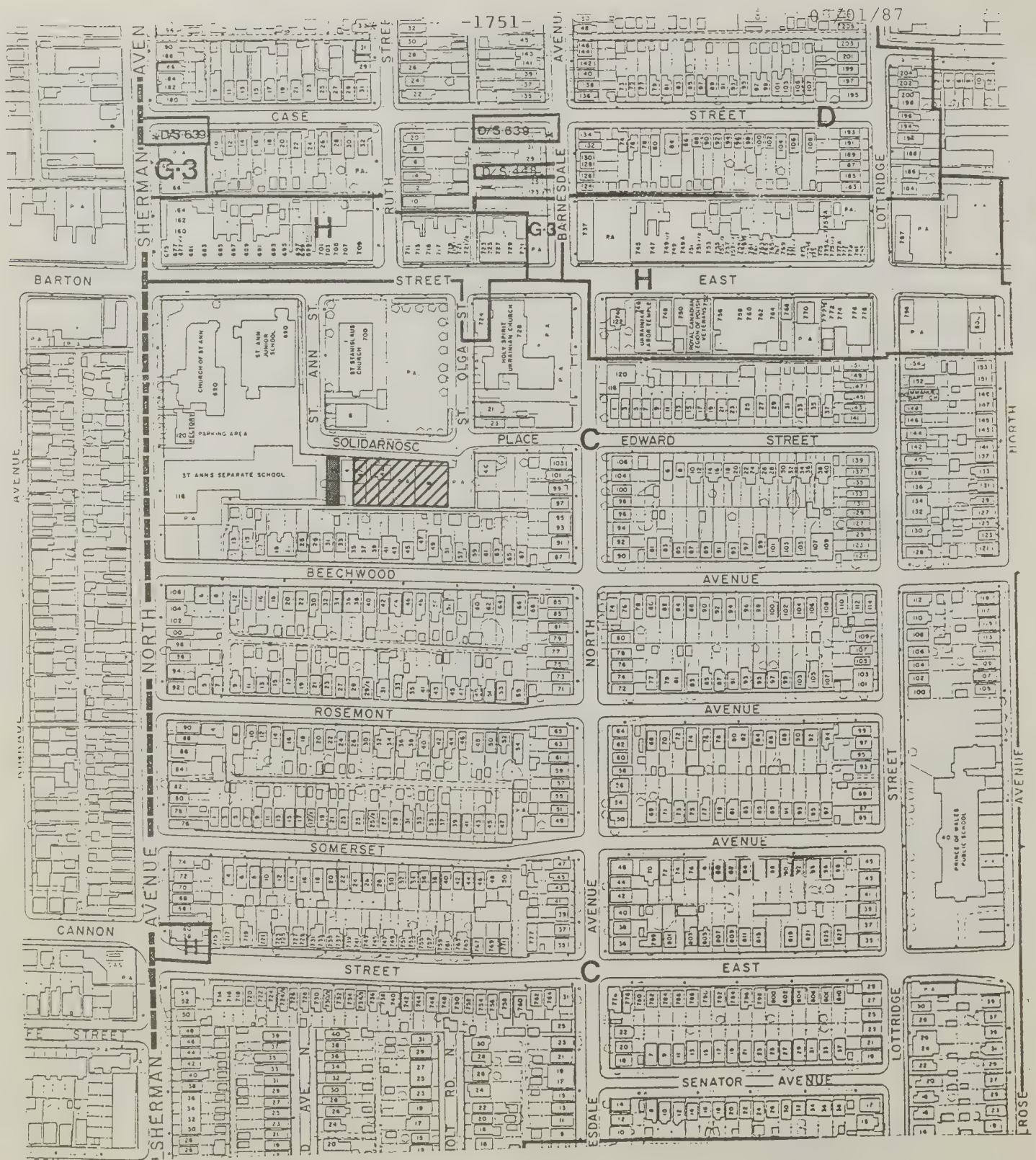
APPENDIX "E" as
referred to in Section 5
of the 16th Report of
the Planning and
Development Committee



LEGEND

SITE OF THE APPLICATION

APPENDIX "F" as referred to in Section 6 of the 16th Report of the Planning and Development Committee

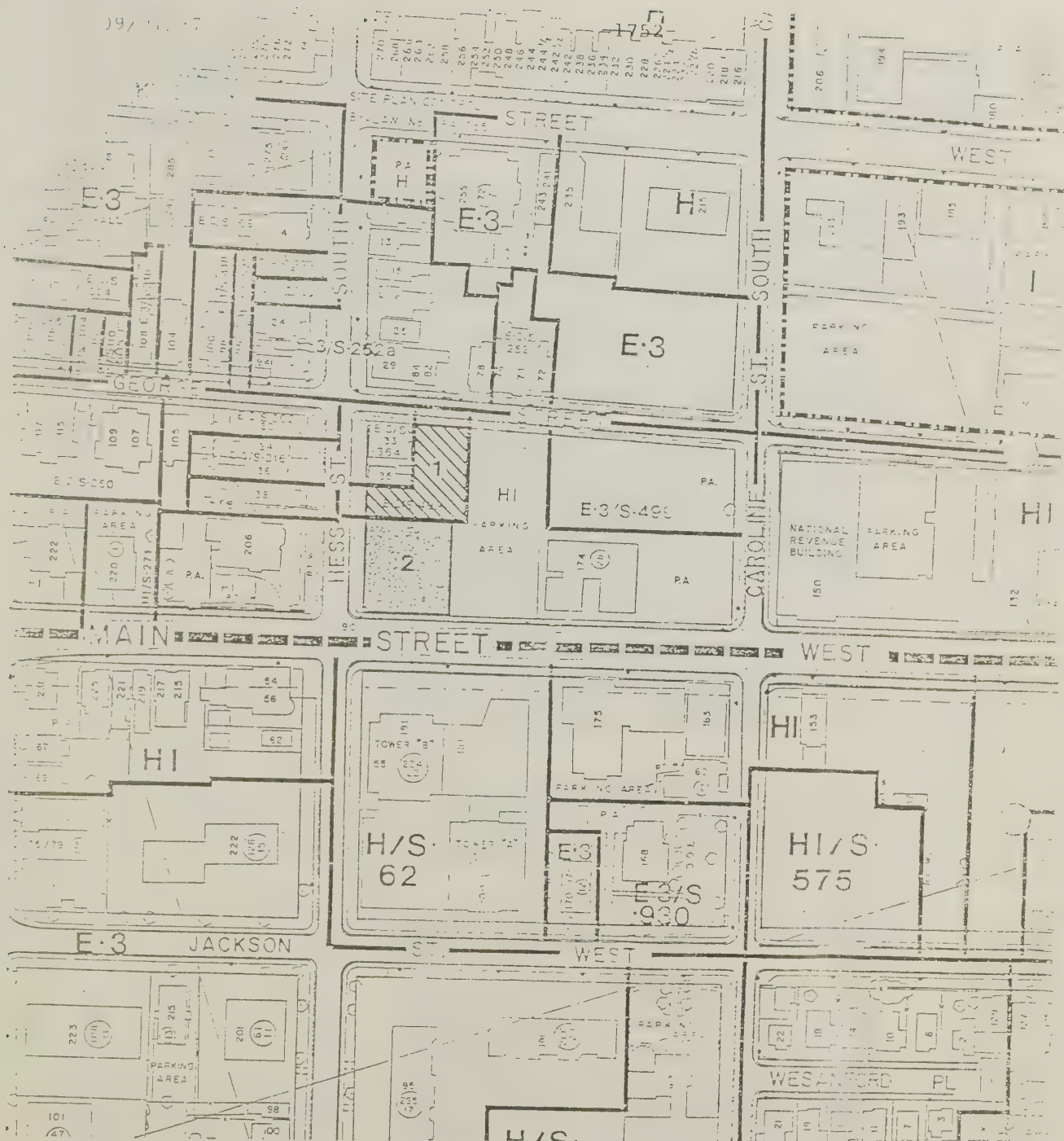


LEGEND



SUBJECT LANDS

APPENDIX "G" as referred to in Section 7 of the 16th Report of the Planning and Development Committee



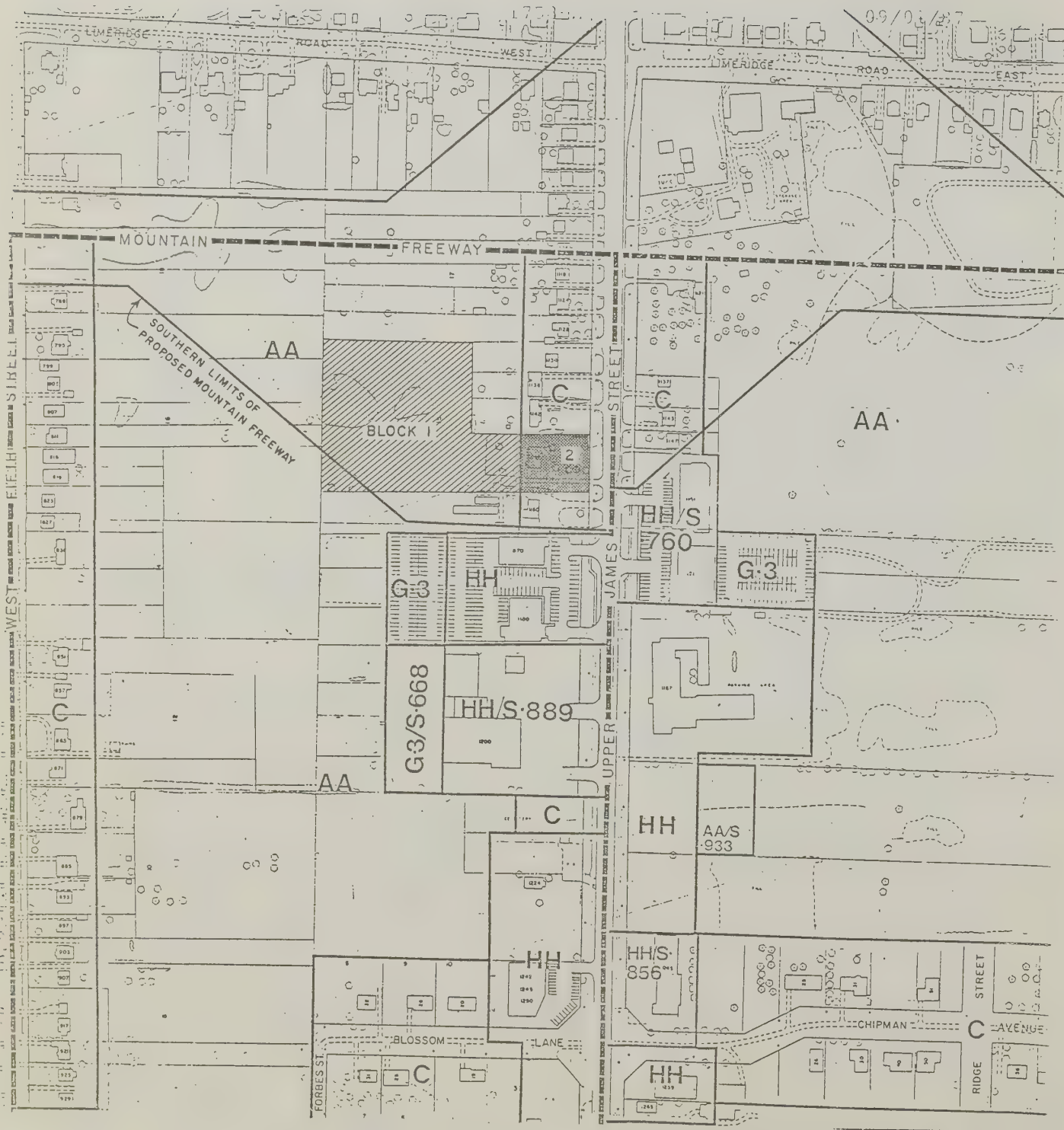
LEGEND



SITE OF THE APPLICATION



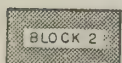
APPENDIX "H" as referred to in Section 8 of the 16th Report of the Planning and Development Committee



LEGEND



CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT.



CHANGE IN ZONING FROM "C" (URBAN PROTECTED RESIDENT) TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT.



APPENDIX "I" as referred to in Section 9 of the 16th Report of the Planning and Development Committee

- 1(a) -

6.1. The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:

- (a) to pay municipal, realty and business taxes;
- (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
- (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
- (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
- (e) to pay building permit application fee;
- (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
- (g) to pay for the connection of all utilities to the premises;
- (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
- (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
- (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

1. That the transferee shall commence construction of a building, having a minimum building area of square feet, upon the hereinbefore described land by not later than

Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the transferee shall complete construction of the said building by not later than

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

(For Land Titles, May, 1983)

Con:

APPENDIX "J"
referred to in Section
18 of the 16th Report
of the Planning and
Development Committee

- 1(b) -

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **Twelfth** Report for 1987 and respectfully recommends:

1. For the information of the members of City Council, the Legislation Committee wishes to advise that it has approved the use of the Votamatic Ballot System for the 1988 Municipal Election. Staff have been requested to investigate alternate election ballot methods, i.e. the Optech III-P System, for use in subsequent years following the 1988 Election.
2. (a) That the City of Hamilton officially welcome the Olympic Torch Relay at the City Hall forecourt on Friday, 1987 December 25th.
(b) That a Committee be struck, chaired by the Mayor, to arrange this event.

NOTE: The torch for the XV Olympic Winter Games on route to Calgary will pass through Hamilton on Friday, 1987 December 25. A special Celebrations '88 event organized by a local Committee should be arranged for this date.

3. (a) That the City of Hamilton support the Corporation of the City of Thunder Bay by endorsing the importance of the Port of Thunder Bay in the Canadian Wheat Industry.
(b) That the Mayor advise the Premier of Ontario of the City's position in this matter.
4. That the City of Hamilton **SUPPORT** the resolution of the City of Barrie as follows:

WHEREAS the Province of Ontario has expressed its commitment to providing free health care to Ontario Residents by eliminating OHIP fees;

AND WHEREAS the Province is also committed to providing adequate hospital facilities to its residents;

AND WHEREAS some hospitals are in need of major capital improvements and in some cases, because of local population growth, must be replaced with newly constructed facilities;

AND WHEREAS the subsidy paid by the Province has been limited to approximately two-thirds of the cost of construction;

AND WHEREAS because of increased construction costs, Hospital Boards and municipalities are having extreme difficulty in financing their share of equipping and constructing new facilities;

NOW THEREFORE BE IT RESOLVED that the Province of Ontario assume a greater responsibility for sharing in the costs of construction and equipping new hospitals.

That this resolution be sent to all Regions, Municipalities, Counties and City in Counties and to A.M.O. for action at the 1987 A.M.O. Convention.

5. That the City of Hamilton **SUPPORT** Bill 72 - An Act to amend the Highway Traffic Act.

NOTE: The purpose of the Bill is to aide in the enforcement of the rules of the road as they apply to bicyclists. It adds the requirement that bicyclists provide identifying information to police officers who request it. The Act provides that if they do not provide the information, they can be arrested.

6. (a) That dog licences be valid for 12 months from the date of purchase - expiring or renewable on the month of purchase - with a \$10 penalty assessed for late renewals.
(b) That a 30 day grace period be given for renewal of dog licences.
(c) That Section 19 of By-law 85-148 be amended to reflect these changes.
7. That the Terms of Reference for The Gilda Maria Cino Arts Award, attached hereto as APPENDIX "A", be **endorsed**.
8. That approval be given to the action of the Legislation Committee for the Canadian Orpheus Male Choir (Hamilton) to visit City Hall with the Basingstoke Male Voice Choir from England on Saturday, 1987 August 22nd at 10:30 o'clock a.m. and that the following arrangements for this visit be **approved**:
(a) Use of the Council Chamber from approximately 10:00 o'clock a.m. to 11:30 o'clock a.m.
(b) That a piano be provided in the Council Chambers.
(c) That light refreshments of coffee, pop and cookies be provided at an estimated cost of \$125 (Account #0373-1002 - "Receptions - City Hall).

- (d) That staff overtime of approximately 4 1/2 hours at an estimated cost of \$60 be approved for a Property Maintenance Worker (Account #0321-0760 -Use of City Hall Facilities and Equipment by Outside Groups).
- * 9. That permission be granted to hang a banner on the railing of the stairway in the foyer of the second floor of City Hall, from 1987 September 21 to 1987 September 29 for the purpose of advertising the City Hall Open House to take place on Tuesday, 1987 September 29.
10. (a) That the Gruppo Folkloristico from the City of Racalmuto, Sicily be welcomed to perform in the City Hall forecourt on 1987 September 3, at 12:00 o'clock noon.
- (b) That refreshments be provided from Account #0373-1002 (Receptions - City Hall) in the amount of \$350.
11. That a ruby insert into a previously won civic gold ring, be awarded to Mr. Eugen A. Kasaic who won the Canadian Black Powder Championship in Kitchener on 1987 July 10 to 12.
12. That the Mayor write to the Prime Minister of Canada to urge the Government of Canada to erect a Statue of Her Majesty Queen Elizabeth II on Parliament Hill during the year 1992 to mark the occasion of her 40th Anniversary of accession to the throne.
13. (a) That the Mayor officially welcome the National President and five directors of the National Council of the National Alpine Association in the City Hall Council Chambers on Thursday, 1987 September 3 at 6:30 o'clock p.m.
- (b) That refreshments of coffee, pop and cookies be provided at an estimated cost of \$90 (Account #0373-1002 - Receptions - City Hall).
- (c) That staff overtime of 4 1/2 hours at an estimated cost of \$60 be approved for a Property Maintenance Worker (Account #0321-0760 - Use of City Hall facilities and Equipment by Outside Groups).

* Recorded Vote, see page 1651

- * 14. That approval be given to Mohawk College to display a banner inside of City Hall to advertise the 21st Anniversary of Mohawk College.

NOTE: This banner will announce an Open House at Mohawk College on Sunday, 1987 September 20 from 12:00 o'clock noon to 5:00 o'clock p.m.

15. That leave be granted to introduce the following bills:

- (a) Bill E-13 A by-law to amend Licensing By-law No. 79-323 Respecting Minor Correction to Wording.
- (b) Bill E-14 A by-law to amend Licensing By-law No. 79-323 Respecting Schedule 15 - Billiard Parlours.
- (c) Bill E-15 A by-law to amend By-law No. 84-191 Respecting Petting Zoos.

Respectfully submitted,

S. K. Reeder
Secretary
1987 August 17

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

* Recorded Vote, see page 1651

THE GILDA CINO ARTS AWARDPURPOSE

- to honour the memory of Gilda Cino for her contribution to the arts.
- to honour an individual in the community who has volunteered their time and efforts to the promotion of the arts and whose activities and contributions are in keeping with the achievements and volunteer spirit of Gilda Cino.
- to promote the Arts in the City of Hamilton.

TERMS OF REFERENCECRITERIA:

1. The award will be granted on a yearly basis to an outstanding, extraordinary individual in the community who contribution and efforts have improved and continue to promote the Arts within the City of Hamilton.
2. The candidate must be a volunteer associated with, and nominated by, an Arts organization.
3. The Arts organization must be based in the City of Hamilton.
4. The Arts organization may nominate one or more outstanding individuals.
5. The "Arts" will be broadly defined as an activity or expression of beauty including visual and performing Arts but not limited to dance, theatre, opera, orchestra, choral, photography, sculpture, painting, architecture, heritage.
6. The award to be given and presented yearly at an appropriate function.
7. The City of Hamilton will budget on a yearly basis for the promotion and advertising of the award as well as the cost of the award itself.

NOTE: It is estimated that the cost to the City for the first year's Award will be \$900.

PROPOSED PURPOSE:

1. In order to determine an appropriate award a contest might be held within the Arts community inviting proposals for the design of such an award. This award to represent and encompass the broad scope of the Arts.
2. The City of Hamilton will publicly announce and encourage nominations for this award to the Arts community by October 31st. All nominations will be received by January 31st of the following year. The winner will be notified and announced in mid-March.
3. It is the responsibility of the nominating organization to submit a detailed profile of their candidate(s) listing their contributions and achievements in the Arts.
4. The nominating committee for the Gilda Cino Award should be recommended by a Selection Committee/Legislation Committee. For the first year it would be appropriate to request that Mr. Sam Cino Chair the nominating committee.
5. This nominating committee should consist of five citizen members, of which one might be a City of Hamilton staff resource person. Membership of the committee should be on a rotating basis.

PROPOSED PRESENTATION

1. It might be appropriate to present the award at an annual fund-raising dinner to be held in the memory of Gilda Cino. All proceeds from this dinner would/will be donated to the Gilda Cino Fellowships Scholarships administered by the St. Joseph's Hospital Foundation. This Scholarship is used towards Kidney Research.
2. It would be appropriate if the City of Hamilton could be represented at such a function.
3. This dinner would be held in a city owned and operated facility.
4. This annual dinner would in itself promote the Arts community. The opportunity could also be available to showcase or encourage performance by the Arts community.

Respectfully submitted by Marilyn Havelka

MH/cf

* REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its THIRTEENTH Report for 1987 and respectfully recommends:

1. (a) That the Corporation of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth jointly sponsor a civic luncheon for Sir "Sonny" Ramphal on Monday, 1987 September 28 at the Hamilton Convention Centre at an estimated cost of \$2 500 to be charged to Account 0373-1003 - Special Receptions and Dignitaries Hostings.
- (b) That the Corporation of the City of Hamilton and McMaster University, jointly sponsor a reception at McMaster University for Sir "Sonny" Ramphal following the Bertrand Russell Lecture at the Ewart Angus Centre at McMaster at an estimated cost of \$1 000 to be charged to Account 0373-1003 - Special Receptions and Dignitaries Hostings.
- (c) That the Finance Committee be requested to recommend the method of financing.

Note: Sir "Sonny" Ramphal will be presenting the Bertrand Russell Lecture at McMaster University on 1987 September 28 and 29. As he is the Commonwealth Secretary-General, it would be appropriate to officially receive him on behalf of the City.

2. That the Terry Fox Run be welcomed to conduct a brief ceremony at the front of City Hall on Wednesday, 1987 September 9 from approximately 4:00 o'clock p.m. until 5:00 o'clock p.m.

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

Susan K. Reeder
Secretary
1987 September 1st

* THIRTEENTH Report of the Legislation Committee
added during Council.

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its THIRTEENTH Report for 1987 and respectfully recommends:

1. (a) Approval of the establishing of the position of Administrative Assistant IV in the Department of Culture and Recreation, Non-Union pay range "O", \$21,631.48 to \$25,498.20 per annum.

(b) This position to be posted and filled.
2. Approval of the reclassification of the three (3) existing positions of Foreman III in the Horticultural Section of the Parks Department, salary range \$26,767.00, \$28,753.40, \$30,739.80 per annum to Foreman II, salary range \$27,862.12, \$30,568.20, \$33,273.76 per annum, effective July 1, 1987.
3. Approval of an increase in the hourly rate of two (2) Head Cashier positions (part-time) in the Department of Culture and Recreation, at the Chedoke and King's Forest golf and ski operations, from \$6.993 per hour to \$8.043 per hour.
This increase to be retroactive to January 1, 1987.
4. Approval of an increase in the hourly rate paid to the three (3) General Assistant positions in the Small Museums (Historic Sites Division) of the Culture and Recreation Department from \$5.256 per hour (Whitehern) and \$6.069 per hour (The Hamilton Military Museum and The Children's Museum) to \$9.50 per hour, effective September 1, 1987.
5. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to 1987 August 6, as set out on the list attached hereto as Schedule "A".

- * 6. That Mr. P. Eker, Senior Legal Advisor in the City Solicitor's Department, who will be retiring October 31, 1987, be employed on a contract basis for a period of six (6) months at the same salary that he is currently receiving as an employee of the department.
7. Approval of the Memorandum of Agreement dated August 12, 1987, between The Corporation of the City of Hamilton and The Civic Employees of The International Union of Operating Engineers, Local 772, A.F.L. - C.I.O., C.L.C., attached hereto as Schedule "B".
8. That the following resolution of the Township of Beckwith be endorsed:
- "BE IT RESOLVED that the Council of the Corporation of the Township of Beckwith request the Provincial Government to discontinue the sales tax applied to equipment or supplies directly used in fire protection and control and (auto) extrication. Copies of this resolution to be forwarded to Premier Peterson, Honourable R. Rae, Leader N.D.P., Honourable L. Grossman, Leader P.C., Mr. D. Wiseman, M.P.P., and all other Ontario Municipalities for their support.
- Carried."
9. That leave be granted to introduce the following Bill:
- Bill F-4** - By-law to Authorize Execution of an Agreement between The City of Hamilton and The City of Burlington respecting Fire Protection.

Respectfully submitted,

ALDERMAN M. KISS, CHAIRPERSON,
PERSONNEL COMMITTEE.

E. A. Simpson, Secretary,
1987 August 19.

* Section 6 Referred Back

SCHEDULE "A"

Referred to in Section 5 of the
Thirteenth Report of the Personnel
Committee.

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Annabell Acheson	Traffic Checker	Traffic	replacing Mr. Albert Smith - retired	B-3	\$392.00 per week	87/07/29
Mr. Robert Aldridge	Hydraulic Back Hoe Operator	Public Works	replacing Mr. Frank Ludwig - resigned	D-11	\$12.107 per hour	87/07/13
Ms. Carmela Alletto	Typist Clerk II	Traffic	returning to permanent position - was replacing M. Gould mat. leave	F-2	\$339.48 per week	87/07/06
Mr. Kevin Barker	Stores Attendant	Purchasing Division of Treasury Dept.	replacing Mr. Frank Vero - retired	D-7	\$11.795 per hour	87/06/29
Mr. Peter Booker	General Foreman - Landscaping	Public Works	replacing Mr. M. Martynowicz - retired	M-3	\$31349.76 per annum	87/07/13
Mr. Ronald Boutcher	Asphalt Raker	Public Works	additional staff as approved	D-9	\$11.915 per hour	87/07/06
Mr. Fernando Cabral	Asphalt Spreader Operator	Public Works	replacing Mr. Terry Short - promoted	D-11	\$11.907 per hour	87/07/06
Ms. Helen Caffery	Clerk Typist III	Culture and Recreation	replacing Ms. C. Franceschini - promoted	E-1	\$310.22 per week	87/07/22

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09/01/87

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Vince Cantwell	Electrical/Electronic Technician	Central Utilities Plant Division of H.E.C.F.L.	replacing Mr. Gordon Lepitre - promoted	M-17	\$14,585 per hour	87/07/13
Mr. Carmine Colatillo	Concrete Finisher (Districts)	Public Works	replacing Mr. Giuseppe DiLuca - transferred	D-8	\$11,654 per hour	87/07/20
Ms. Marilyn Coy	Accounting Clerk	Central Garage Division of Public Works	returning to permanent position - was replacing L. Barker off sick	A-5	\$433.82 per week	87/07/20
Mr. Ronald Doucet	House Plan Examiner and Draftsman	Building	replacing Ms. Susan Parker - promoted	A-8	\$473.37 per week	87/07/20
Mr. Thomas Fehr	Operations Engineer	Central Utilities Plant Division of H.E.C.F.L.	replacing Mr. Joel Hines - resigned	15	\$33544.68 per annum	87/07/20
Mr. Francesco Filice	Concrete Finisher (Districts)	Public Works	replacing Mr. Pierino Finocchi - retired	D-8	\$11,654 per hour	87/06/29
Mr. Gennario Fiorino	Concrete Finisher (Districts)	Public Works	replacing Mr. Thomas LaForme - promoted	D-8	\$11,654 per hour	87/06/29

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EXPIRY DATE
Mr. Fernando Franche	Motor Mechanic	Central Garage Division of Public Works	replacing Mr. Eric Storey - on L.P.D.	D-17	\$13,857 per hour	8/31/83
Mr. William Jankowski	Market Collector	Market Section of City Clerk's	replacing Mr. George Veerman - terminated	B-2	\$9,959 per hour	7/01/83
Ms. Linda Juchniewicz	Typist Clerk II	Treasury	replacing Ms. Ann Boyajian - promoted	F-2	\$36,445 per week	8/01/83
Mr. Andy Kosa	Street Sweeper Operator	Public Works	replacing Mr. Patrick T. Morris - promoted	C-3	\$11,715 per hour	8/01/83
Mr. Libero Malisa	Concrete Finisher (Districts)	Public Works	replacing Mr. G. J. Mitchell - on L.P.D.	D-8	\$11,654 per hour	8/06/83
Mr. Alberto Medeiros	Asphalt Paver	Public Works	replacing Mr. Alexander Berry - promoted	D-6	\$11,915 per hour	8/07/86
Ms. Deborah Minore	House Plan Examiner and Draftsman	Building	replacing Ms. Sandra Tucker - transferred	A-8	\$473.37 per week	8/01/83
Mr. Stephen Popovich	Garbage Truck Driver	Public Works	replacing Mr. David Clinch - promoted	D-9	\$11,915 per hour	8/01/86

Prepared 1987 August 06

10/01/87

6/1/87

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THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Stephanie Pripic	Administrative Assistant IV	City Clerk's	returning to permanent position - was replacing R. D'Ortenzio mal. leave	Q	\$22571.64 per annum	87/07/20
Mr. Mike Siena	Concrete Finisher (Districts)	Public Works	replacing Mr. F. Ricciardone - retired	D-8	\$11,654 per hour	87/06/29
Ms. Patty Smith	Junior Accounting Clerk	H.E.C.F.I.	replacing Ms. Josephine Brazier - resigned	6	\$17451.72 per annum	87/07/20
Mr. Kevin Theoret	Garbageman	Public Works	replacing Mr. Patrick Boyle - retiring	D-8	\$11,854 per hour	87/07/06
Mr. Michael Webster	Garbage Truck Driver	Public Works	replacing Mr. John Pack - terminated	D-9	\$11,915 per hour	87/07/13
Mr. Martin White	Legislative Technologist	Traffic	new position	A-12	\$34498.98 per annum	87/07/20

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Josephine Brazier	Junior Accounting Clerk	H.F.C.F.L.	resigned	5 years & 11 months	87/07/16
Mr. William Cottrell	General Manager	Parking Authority	retired	32 year & 11 months	87/07/31
Ms. Michelle Forrester	Stenographer III	Building	resigned	2 years & 1 month	87/08/07
Mr. Victor Fournel	Backhoe Operator	Public Works	retired	21 years & 4 months	87/07/31
Mr. George Green	General Foreman	Public Works	retired	38 years & 1 month	87/08/28
Mr. Ronald Heemskerk	Asphalt Raker	Public Works	terminated	1 year & 1 month	87/07/21
Mr. James Short	Roller Operator	Public Works	retired	32 years & 3 months	87/07/31
Mr. Edward Torres	Concrete Finisher	Public Works	resigned	1 year & 1 month	87/07/06
Mr. Palermo Valerio	Asphalt Raker	Public Works	retired	20 years & 4 months	87/07/31

Prepared 1987 August 06

09/01/87

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Douglas Anderson	Junior Maintenance Management Clerk (temporary)	Public Works	replacing Mrs. Joy Wilde - maternity leave	A-6	\$436.92 per week	87/07/13
Mr. Randy Guenther	Foreman III (Districts) (temporary)	Public Works	replacing Mr. S. Capostagno - promoted	13-C	\$26767.00 per annum	87/07/14
Mrs. Marilyn Kay	Administrative Assistant I (temporary)	City Solicitor's	replacing Mrs. Joyce Davis - off sick	N	\$29155.36 per annum	87/07/02
Ms. Shari Pouliot	Program Organizer (temporary)	Culture and Recreation	replacing Ms. Julie Matson - maternity leave	A-7	\$449.07 per week	87/08/04
Mr. Larry Torresin	Unit Supervisor (temporary)	Culture and Recreation	replacing Mr. Donald Taylor - off sick	11-C	\$30145.96 per annum	87/07/13

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09/01/87

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
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NO TERMINATIONS FROM TEMPORARY POSITIONS AT THIS TIME

Prepared 1987 August 06

09/01/87

-1772-
SCHEDULE "B"

Referred to in Section 7 of the
Thirteenth Report of the Personnel
Committee.

THIS MEMORANDUM OF AGREEMENT MADE THIS 12TH DAY OF AUGUST, 1987

BETWEEN

THE CITY OF HAMILTON

AND

THE CIVIC EMPLOYEES OF THE INTERNATIONAL UNION OF
OPERATING ENGINEERS, LOCAL 772, A.F.L. - C.I.O., C.L.C.

- I The parties herein agree to the terms of this Memorandum of Agreement as constituting full settlement of all matters at issue between the parties.
- II The undersigned representatives of the parties agree to recommend, unanimously, acceptance of all the terms of this Memorandum to their respective principals.
- III The parties herein agree that the term of the Collective Agreement shall be August 1, 1987 to July 31, 1989.
- IV The parties agree that all provisions of the Collective Agreement covering the period August 1, 1985 to July 31, 1987 shall continue in effect as amended by the following provisions.
- V The Collective Agreement shall be amended in accordance with the following and such amendments shall become effective upon ratification by both parties hereto, save and except where this Memorandum of Agreement specifically provides otherwise.

The following are the amendments referred to in item V above:

ARTICLE 4 - HOURS OF EMPLOYMENT

- (i) Add to clause 4.2:

These working hours, with the exception noted in clause 4.8, include a one (1) hour unpaid lunch. By mutual agreement between the parties, this lunch break may be altered.

ARTICLE 5 - OVERTIME COMPENSATION

- (1) Replace 5.1 to 5.3 with the following and re-number 5.4 to 5.8 accordingly.

5.1 Compensation at one and one-half (1 1/2) times the standard rate per hour as set forth in Schedule "A" of this agreement shall be paid for all work performed in excess of eight (8) hours in any twenty-four (24) hour period or in excess of the standard hours per week as outlined in Article 4 provided that both daily and weekly overtime shall not be paid for the same hours. However, overtime compensation shall not apply to such hours of work in excess of eight (8) hours in any twenty-four (24) hour period necessitated by shift changes provided that employees working on a shift schedule are off duty for a period of not less than eight (8) hours between shifts nor to shifts arranged pursuant to clauses 6.5 and 6.6.

5.2 Compensation at two (2) times the standard rate per hour as set forth in Schedule "A" of this agreement shall be paid for all work performed in excess of twelve (12) continuous hours worked. Unpaid meal periods shall not be considered as part of "continuous hours worked". "Continuous hours worked" shall not be considered broken by:

(a) unpaid meal periods, or

(b) time taken for sustenance under clause 5.11 of this agreement.

5.3 Compensation at one and one-half (1 1/2) times the standard rate per hour as set forth in Schedule "A" of this agreement shall be paid for the first four hours of work performed on a Saturday, and double time (2) shall be paid for all hours in excess of the first four (4) hours. Unpaid meal periods shall not be considered as part of "continuous hours worked". "Continuous hours worked" shall not be considered broken by:

(a) unpaid meal periods, or

(b) time taken for sustenance under clause 5.11 of this agreement.

5.4 Compensation at two (2) times the standard rate per hour as set forth in Schedule "A" of this agreement shall be paid for all overtime performed on Sunday.

5.5 Due to the nature of operations and shifts, an employee whose scheduled days off occur during the week shall have his/her first day off designated as Saturday and his/her second day designated as Sunday. The employee shall be paid in accordance with 5.3 and 5.4. The employee shall be paid double time (2) for any shift worked on his/her second, third and subsequent days off even if he/she has not been called in to work on his/her first scheduled day off.

(11) Place provisions of clause 19.4 in this article with the following language:

5.11 An employee required to work overtime, following the completion of his/her regular hours of work, which continues in excess of two (2) hours, shall be eligible for a meal period at a time mutually agreed between the employee and his/her immediate Supervisor. In the event overtime continues, such an employee shall become eligible for further meal periods at intervals of four (4) consecutive hours beyond the two (2) hours referred to above, a further meal allowance overtime is to continue. Regardless of the time of the initial meal break, for the purpose of this clause, it shall be deemed to have been taken after the completion of two (2) hours of such overtime worked. An employee shall be entitled to a meal allowance of five dollars and fifty cents (\$5.50) for each meal break that he/she is entitled to under the provisions of the foregoing.

ARTICLE 6 - SHIFT DIFFERENTIAL

(1) Amend the shift premium in 6.3 and 6.4 to fifty (50) cents.

ARTICLE 7 - ANNUAL VACATIONS

(1) Replace clauses 7.1 and 7.2 with the following:

7.1 An employee shall be granted, except as otherwise expressly provided herein, an annual vacation with pay according to his/her aggregate credited service as follows:

Column I	Column II
Years of Service	Vacation with Pay
1 year	2 weeks and thereafter
3 years	3 weeks and thereafter
10 years	4 weeks and thereafter
18 years	5 weeks and thereafter
22 years	5 weeks and 1 day and thereafter
24 years	5 weeks and 2 days and thereafter
26 years	5 weeks and 3 days and thereafter
28 years	5 weeks and 4 days and thereafter
30 years	6 weeks and thereafter

7.2 Notwithstanding the schedule of vacation leave above noted, an employee, who has been granted and taken vacation leave and terminates his/her employment with the Employer before the anniversary date when the employee commenced work, shall have the unearned portion of vacation leave deducted from his/her termination pay as per Article 8.

(iii) Replace 7.9, 7.10 with the following:

7.9 Where an employee who is entitled to Short Term Disability benefits is on vacation and is,

- (a) hospitalized, or
- (b) convalescing following hospitalization, or
- (c) in home care under O.H.I.P. following hospitalization

there shall be no deduction from vacation credits for such absence. The period of vacation so displaced shall either be added to the vacation period or reinstated at a later date. Such date or dates are to be mutually agreed upon by the employee and the Department Head. An employee will be required to submit a certificate from a qualified medical doctor confirming the reasons for his/her absence in order to qualify under this clause.

7.10 Where an employee is on vacation and is entitled to bereavement pay under the terms of Article 11.2, there shall be no deduction from vacation credits for such absence. The period of vacation so displaced shall either be added to the vacation period or reinstated at a later date. Such date or dates are to be mutually agreed upon by the employee and the Department Head.

7.11 All vacations granted in any year shall be determined on the basis of the aggregate credited service of the employee and such service is to include any period or periods of paid absence due to sickness (certified by a medical practitioner), accident while on duty, or leave of absence for Union business. All other period of absence, other than those noted above, will reduce an employee's vacation entitlement in the same proportion as the factor by which the period of absence relates to the full calendar year.

(111) Effective January 1, 1988 the vacation schedule shall be altered as follows:

Years of Service	Vacation with Pay
1 year	2 weeks and thereafter
3 years	3 weeks and thereafter
9 years	4 weeks and thereafter
17 years	5 weeks and thereafter
20 years	5 weeks and 1 day and thereafter
21 years	5 weeks and 2 days and thereafter
22 years	5 weeks and 3 days and thereafter
23 years	5 weeks and 4 days and thereafter
25 years	6 weeks and thereafter

ARTICLE 8 - VACATION PAY ON RETIREMENT OR ON SEPARATION FROM SERVICE

(1) Replace Article 8 with the following:

8.1 An employee who separates or retires shall be paid separation vacation pay on the basis of the following:

Column I	Column II
Vacation Qualification	Separation Vacation Pay
6 weeks	12.0%
5 weeks and 4 days	11.6%
5 weeks and 3 days	11.2%
5 weeks and 2 days	10.8%
5 weeks and 1 day	10.4%
5 weeks	10.0%
4 weeks	8.0%
3 weeks	6.0%
2 weeks	4.0%

7.1 Separation vacation entitlements, as set out in Column II, shall be calculated on the basis of the following, subject to clause 7.2:

(a) vacation pay on separation for employees employed after January 1, 1980, shall be the relevant percentage for the period between the employee's last anniversary date of when the employee commenced work and the date the employee actually separates from employment with the Employer;

(b) vacation pay on separation for employees employed before January 1, 1980, shall be the sum of:

(i) the full vacation entitlement for the year preceding his/her termination regardless of his/her anniversary date, and,

(ii) the relevant percentage of earnings for the period January 1, in the year of separation, to the effective date of separation.

8.3 Employees who do not qualify for separation vacation pay under the terms of this agreement shall be paid separation vacation pay in accordance with the provisions of the Employment Standards Act.

8.4 Should death occur to an employee, any unpaid vacation pay will be paid to the estate of the deceased employee.

ARTICLE 3 - STATUTORY HOLIDAYS

9.1 Replace the second paragraph of 9.1 with the following:

9.1 (c) Employees shall be entitled to either a half (1/2) day holiday with pay on the working day immediately before Christmas Day or on the working day immediately before New Year's Day. This half (1/2) day holiday is to be arranged and scheduled by November 25th according to seniority. In the event that operational requirements preclude the taking of this half (1/2) day, the half (1/2) day shall be worked and the employee shall receive his/her regular pay for the four hours plus time and one half (1 1/2).

Such half (1/2) day shall be effective for new employees only if the employee commence work on November 10th or earlier of that year.

9.2 Reverse the order of 9.5 (d) and (e).

ARTICLE 10 - BENEFIT PLANS

- (1) Replace Article 10 with the following:

10.1 The benefits provided hereunder shall continue for the life of this Agreement.

10.2 The Employer shall pay the full cost of the premiums for all benefits provided hereunder.

10.3 On completion of three months service with the Employer an employee shall be entitled to the following benefits:

- (a) Group Life Insurance with benefits equal to two (2) times the annual basic wage rate of the employee to the nearest one thousand dollars.
- (b) Extended Medical plan including semi-private hospital coverage and Prescription Drug plan.
- (c) Dental care plan, as per the attached Schedule, under the terms of the current Ontario Dental Association (O.D.A.) schedule.
- (d) Vision care plan to cover the employee and his/her dependents (\$100. every 2 years).

10.4 All employees shall be enrolled in the Ontario Health Insurance Plan (O.H.I.P.).

10.5 All employees shall be enrolled in the Ontario Municipal Employees Retirement System (O.M.E.R.S.). The Employer shall pay only the Employer's required contributions.

10.6 On completion of the probationary period an employee shall also be entitled to the following benefits:

- (a) Short Term Income Protection detailed in the attached plan. The provisions of the "Cumulative Sick Leave Allowance" Bylaw, as amended, shall continue as modified by the Income Protection Plan. A copy of the Regulations of the above noted Bylaw are attached hereto as Schedule "B".
- (b) Long Term Disability plan detailed in the attached plan.

10.7 (a) Number 1 of the Regulations of the above noted Bylaw has been replaced with the following:

An employee shall on the first day of illness, report or cause to report such illness to his/her Department Head or designate within the limits as set by each Department Head.

shall have the following added:

If an employee is not able to obtain a medical certificate on or before the third working day, he/she may appeal to the Director of Human Resources, who will re-view the employee's absentee record, to waive the requirement.

Certificates covering any illness or injury will not be accepted by the Human Resources Centre later than two (2) weeks following such illness unless there are extenuating circumstances made known to the Human Resources Centre on the 3rd day of the illness or injury. This extension of time does not apply when a clearance to return to work is involved.

(c) Number 5 of the Regulations of the above noted Bylaw shall be replaced by the following:

The Department Head or designate, having reason to believe that the absence of the employee was not due to illness, may demand a doctor's certificate for one day of absence or less than one (1) day of absence for habitual offenders.

10.8 Information provided to the Employer related to absences due to illness or injury shall include the general nature of the absence and the expected duration of the absence.

10.9 (a) Any dispute over the payment of benefits shall be adjusted between the employee and the Insurance company.

(b) The Employer will use its best efforts to assist the employee in dealing with the Insurance company and agrees to provide all documentation and consultation when requested by the employee or by the employee and Union.

(c) The Employer agrees to provide that the employee and a Union representative, if the employee so chooses, may deal directly with the Insurance company regarding any dispute over payment of benefits.

10.10 The Union agrees that the Employer may allocate the Unemployment Insurance Premium Rebate received for each employee towards the annual cost of benefit plans.

10.11 The normal date of retirement for employees shall be the first day of the month following that in which the employee attains his 65th birthday.

10.12 The Employer reserves the right to change the carrier of any of the benefit plans provided that the level of benefit coverage is not decreased. Notice of such change of carrier will be communicated to the Union prior to the change.

10.13 Whenever an employee recovers from a third party, any amount claimed for loss of wages or sick leave, he/she shall repay to the Employer forthwith the amount of all monies paid to him/her by the Employer, in respect of the period for which such amount is recovered from the third party, provided that the amount to be repaid to the Employer shall not exceed the amount recovered from the third party.

In the event the employee repays to the Employer the amount of sick leave paid, the attendance record shall be altered in the following manner:

- a) the number of occasions recorded for this absence shall be removed;
- b) the absence shall be amended to appear as a leave of absence;
- c) the sick bank, if utilized, shall be restored to its former balance.
- d) vacation entitlement shall not be affected by this amendment.

10.14 The following benefits will be available to any employee retiring under the OMERS 90 factor, or any employee between the ages of 55 and 65 who retires on an early OMERS pension if he/she has a minimum of ten (10) year continuous employment with the Employer at the time of retirement:

Ontario Health Insurance Plan
Extended Medical Plan
Dental Plan
Vision Plan

Life Insurance (1 1/2 times the annual basic wage rate of the employee at time of retirement rounded to the nearest one thousand dollars).

The following conditions apply:

- a. The OHIP coverage listed above will automatically cease at the appropriate time if the employee's spouse attains the age of 65 before the employee does.

- b. The above benefit coverage terminates on the last day of the month in which the employee attains age 65, or in which his/her death occurs.
- c. The above benefit coverage will only be available to retirees if benefit coverage is not available through other means (i.e. other employment or spousal coverage).

- (ii) The attached Dental Plan schedule shall include the following:

Effective August 1, 1987 the Dental Plan shall include coverage for Removable Prosthodontics, Fixed Prosthodontics, and Major Restorative on the basis of a 50% co-insurance with a twelve consecutive month maximum amount payable of Five Hundred dollars (\$500.00).

Effective August 1, 1988 the maximum amount payable shall be altered to One Thousand dollars (\$1,000.00).

Effective August 1, 1988 the Dental Plan shall include coverage for orthodontics for dependent children (to the age of 18) on the basis of a 50% co-insurance with a lifetime maximum payment of One Thousand dollars (\$1,000.00).

ARTICLE 11 - LEAVE OF ABSENCE

- (i) Amend 11.1 (a) to five (5) employees.

- (ii) Add a clause as follows:

Clauses 11.3 and 11.5 are subject to the following:

In order to receive payment for these meetings the absence must result in loss of time and pay from a regular shift.

- (iii) Add the following:

Maternity leave shall be granted on the conditions as set out in the Employment Standards Act of the Province of Ontario except that the duration of such leave as provided for in the Act, may, upon medical certification, be extended for an additional 9 weeks following birth.

ARTICLE 12 - PROMOTION AND REDUCTION OF STAFF

(i) End the second sentence of 12.1 after Employer.

(ii) Amend the time period in 12.3 to eighty (80) working days.

(iii) Add to 12.7 the following:

This provision shall not apply when the employee moves to a lower classification as the result of a temporary posting.

(iv) Delete 12.8.

(v) Replace 12.9 with the following:

The Employer agrees that, within a period of thirty (30) working days of the posting by it of a new position or classification, a job description for the said position or classification is to be delivered to the Union and which job description shall form and shall be deemed to form a part of this Agreement unless the Union objects to any or all of the said job description within a period of sixty (60) working days after receipt thereof. In the event there is an objection, said objection is subject to the provisions of Articles 16 and 17 of this Agreement, except that it is to be processed commencing with Step Two of the grievance procedure set forth under Article 16.

(vi) Add the following:

Vacancies created as the result of an employee being absent due to either illness or leave of absence for a minimum period of thirty (30) days, shall be posted and filled when it is known that the employee's absence is expected to be more than six (6) weeks. Notation shall be made on the posting that the vacancy is due to the absence of an employee.

Upon the return of the absent employee, the employee filling the position on a temporary basis shall be returned to his/her former position with the exception as noted below:

In the event the absent employee does return and there is more than one position in the same classification being filled on a temporary basis because of employee absence the junior employee shall be returned to his/her former position and the actual temporary employee being displaced by the return of the absent employee will move to the junior employee's temporary position.

In the event the absent employee does not return the employee filling the position on a temporary basis shall be confirmed in the position with the exception as noted below:

In the event that an absent employee does not return and there is more than one position in the same classification being filled on a temporary basis because of employee absence the senior employee temporarily filling a vacancy shall be confirmed in the position.

ARTICLE 14 - SENIORITY RATING

(i) Re-number 14.8 and 14.9 as 14.3 and 14.4.

(ii) Replace current 14.3 to 14.7 with the following:

14.5 LOSS OF SENIORITY

An employee's seniority rating and credited service shall be broken and the employee shall be removed from the payroll of the Employer for any of the following reasons:

- (a) dismissal for just cause
- (b) voluntary resignation
- (c) failure to report for work within a period of ten (10) days after receipt of notice to return to work after a layoff
- (d) absence without leave, or
- (e) a layoff extending continuously for a period of eight (8) months.

ARTICLE 15 - GRIEVANCE PROCEDURE

(i) Replace Article 15 with the following:

15.1 Within the terms of the Agreement, a grievance shall be defined as a difference between the parties arising from the interpretation, application, administration, or alleged violation of this Agreement, and which has been submitted by the Union to the Employer in writing. All grievances shall specify the nature of the grievance and the section or sections allegedly violated.

15.2 In order to ensure that any differences between the parties are remedied as quickly as possible, the parties agree that the following procedure for submitting and dealing with grievances shall be adhered to by both parties, provided that any of the time limits imposed herein may be extended by mutual consent.

- 16.3 STEP ONE: The employee and the Union Steward shall present the grievance in writing to the employee's Supervisor or Foreman within ten (10) working days of the origin of the grievance.

Within three (3) working days of the written submission a meeting with the grievor, Steward, Foreman and Supervisor will occur to attempt to resolve the grievance.

The Foreman or Supervisor shall respond within three (3) working days of the meeting.

- 16.4 STEP TWO: Failing a satisfactory settlement at Step One, the Chairman of the Grievance Committee, or his/her designate shall submit the written grievance to the employee's Department Head within ten (10) working days of the response in Step One.

The Department Head, or his/her designate will meet with the Grievance Committee, the grievor, and the Steward if necessary, within ten (10) working days of the receipt of the grievance. The Department Head, or his/her designate will issue a response in writing to the Chairman of the Grievance Committee within ten (10) working days of the meeting. In the event the Department Head, or his/her designate denies the grievance, the reasons shall be stated in writing.

- 16.5 STEP THREE: Failing a satisfactory settlement at Step Two, the Chairman of the Grievance Committee, or his/her designate shall submit the written grievance to the Director of Human Resources within ten (10) working days of the receipt of the response of the Department Head, or his/her designate.

The Director of Human Resources, or his/her designate and the Chief Administrative Officer, or his/her designate will meet with the Grievance Committee, the grievor, and the Steward if necessary, within fifteen (15) working days of the receipt of the grievance. At such meeting the Grievance Committee may be accompanied by authorized representatives of the Union. The Director of Human Resources, or his/her designate will issue a response in writing to the Chairman of the Grievance Committee within ten (10) working days of the meeting. In the event the Director of Human Resources, or his/her designate denies the grievance, the reasons shall be stated in writing.

15.6 Where the dispute involves:

(a) the question of general application of or interpretation of the provisions of this Agreement, or

(b) a group of employees, or

(c) the suspension or dismissal of any employee or group of employees

the grievance may be submitted by the Chairman of the Grievance Committee, or his/her designate to the Department Head at Step Two.

In the case of a group grievance or a number of grievances arising from a common complaint, the Union will select one or two employees as representatives of all the affected employees at any and all hearings held in conjunction with the grievance or grievances.

15.7 Where a satisfactory settlement of the matter in dispute is not reached, the said matter may be referred to Arbitration under the provisions of Article 17 within 30 (thirty) calendar days of the receipt of the Director of Human Resources response.

15.8 (a) No matter may be submitted to Arbitration which has not been properly processed through all previous steps of the grievance procedure.

(b) A grievance which has not been processed by the grievor or his/her representative in accordance with the time limits prescribed shall be deemed to be withdrawn. The sole exception to the foregoing shall be where time limits have been extended by mutual agreement of the parties.

16.9 Where the grievance referred to in 16.1 relates to a job posting in a section or department other than the one the employee is currently working in, the entire grievance procedure shall occur with the Employer's representatives in the department where the job posting occurred.

ARTICLE 19 - HEALTH AND WELFARE

(1) Move 19.4 to Article 5 - Overtime as previously noted.

ARTICLE 20 - PROTECTIVE CLOTHING AND SAFETY EQUIPMENT

(1) Replace clause 20.1 with the following:

20.1 Rubber boots, rubber gloves, coveralls, poncho and other protective clothing shall be provided to such employees as designated by the Employer.

(11) Replace 20.5 and 20.6 with the following:

An employee required to wear safety shoes or boots shall be supplied with one pair by the Employer. In the event the employee does not complete his/her probationary period, the Employer's cost of a pair of safety shoes or boots shall be deducted from his final paycheque.

All employees shall receive the following upon completion of their probationary period:

4 shirts
4 trousers
1 parka
1 lightweight jacket

All employees in receipt of the above issue of clothing including safety shoes or boots, shall be eligible to receive a replacement issue of any of the above on a for 1 basis when such article is returned to Stores and proves to be:

(a) either damaged and rendered unusable as a result of the employee's work activities, or

(b) worn out as a result of normal wear for such garment.

20.6 Students hired for summer employment and employees on temporary make work projects are required to wear safety footwear as a condition of employment. Such safety shoes or boots are to be purchased at no cost to the Employer. The exception to the foregoing shall be a summer student commencing his/her third consecutive summer term. In these circumstances the student shall be reimbursed with the dollar value of the Employer's cost of a pair of safety shoes.

(111) Add new clause 20.7 as follows:

Where an employee who wears prescription glasses is required to wear safety glasses to perform his/her job functions, prescription safety glasses shall be provided.

ARTICLE 24 - DURATION OF AGREEMENT

(1) Replace 24.1 with the following:

24.1 This Agreement shall remain in force and effect from and including the 1st day of August, 1987, to and including the 31st day of July, 1989, and from year to year thereafter unless within a period of ninety (90) days before the 1st day of August in any year either party hereto gives notice in writing to the other party hereto of its desire to bargain with a view towards the renewal of its desire to bargain with a view towards the renewal with or without modification of this Agreement or the making of a new Agreement.

SCHEDULE "A"

(1) Amend Schedule "A" by 4.5 % effective August 1, 1987 and by a further 4.0% effective August 1, 1988.

(11) Add a note to Schedule "A" as follows:

An Arena Attendant who supervises part-time staff in the absence of supervisory personnel will receive a premium of 25 cents per hour.

(111) Five (5) Maintenance Man III positions are to be re-classified to M-15 and all M-15 positions are to be re-titled Utilities Maintenance/Operator.

One (1) Maintenance Man III position (presently vacant) is to be re-titled to Handyman (M-10).

The existing Handyman position (M-8) is to be re-classified to M-10.

The position of Maintenance Man IV is to be re-titled to Handyman (M-10).

The position of Arena Maintenance Man I is to re-titled to Head Arena Attendant and re-classified to M-15.

The two (2) positions of Arena Maintenance Man II are to be re-classified to M-10 and re-titled Arena Attendant.

The rate for the Electrical/Electronic Technician (M-17) and the Refrigeration/AC Technician (M-17), is to be \$16.00 per hour, effective August 1, 1987 inclusive of the 4.5% wage increase.

ADDITIONAL ITEMS

- (i) Employer is to be substituted for Corporation and the City of Hamilton.

Director of Human Resources is to be substituted for Person-new Director and Director of Personnel.

Human Resources Centre is to be substituted for Personnel Department.

Ensure that all job titles are gender free. Replace his and he throughout the agreement with his/her and he/she.

- (ii) Add the following Letters of Understanding:

Letter re Vocational Rehabilitation

Letter re lieu time at straight time for training hours on scheduled days off.

Letter re evaluation of 20 cent premium for 3rd class papers for 2 Maintenance Man II positions.

Letter re multi-union committee to review Short Term Disability Plan provisions.

LETTER OF UNDERSTANDING

The Employer agrees to implement and maintain a program of Temporary Modified Work and Vocational Rehabilitation for employees who are unable to carry out their normal duties as a result of illness, injury or accident.

LETTER OF UNDERSTANDING

The Union agrees that during the term of this Agreement, its representatives will meet with the Employer, and representatives of other civic and regional bargaining units, to review the Short Term Disability Plan.

LETTER OF UNDERSTANDING

The Employer agrees that any employee who is required to participate in a training seminar on a scheduled day off will receive compensation in the form of lieu time in an amount equal to the hours of attendance. Lieu time so accumulated shall be used at a time mutually agreed upon by the Employer and the employee.

LETTER OF UNDERSTANDING

The Employer agrees to evaluate the requirements for a 3rd Class Stationary Engineers certificate for the 2 Maintenance Man II positions at City Hall. The Employer further agrees that upon completion of the evaluation, it will meet with the Union to discuss the Union's request for a twenty cent (\$0.20) per hour premium.

09/01/87

-1790-

Signed at Hamilton this ^{17th} day of August, 1987

Henry Lowe

John H. H.

REPORT OF THE FINANCE COMMITTEE

To the Corporation of the City Hamilton.

Members of Council:

The Finance Committee presents its THIRTEENTH Report for 1987 and respectfully recommends:

1. That the claims of Beatrice and Clyde Heatherly be settled in the amount of \$10,000.00 inclusive of interest and costs.

EXPLANATORY NOTE

On June 30, 1984 while attending the Drum Corps. International preliminary competitions, Mrs. Heatherly fell down 10 stairs at the Ivor Wynne Stadium. She suffered fractured pelvis, cracked ribs and injury to her back and left knee in the fall. She was bedridden for 10 weeks, in a wheelchair for two months, used a walker for four months and used a cane till mid 1986. Mrs. Heatherly and her husband live in Hamburg, New York and claimed damages and costs exceeding \$300,000.00. Negotiations were held with their solicitor who has now advised that they are prepared to settle their claims for \$10,000.00 inclusive of interest and costs (they have provided a Full and Final Release) which settlement we are recommending.

2. That the Comprehensive Auditing assignment known as, "Vehicular Fleet Management", be undertaken by the City of Hamilton's Auditors, Pannel Kerr MacGillivray in accordance with their Scope Proposal dated August 1987 at a total fee of \$27,000 (to be financed from the Contingency account and overdraft) with the project to be commenced September/October 1987 with a completion date of December 31, 1987.
- * 3. That the estimated cost of \$24,000 to undertake a social impact assessment of non-profit housing, as approved by City Council July 28, 1987 in adopting Item 8 of the Fourteenth Report of the Executive Committee, be financed by an overdraft in the Community Development Department account 0334-0219, and the setting aside of this amount within the allocated portion of the Contingency Account, on the understanding that the City's cost may be reduced to \$12,000 if Provincial funding is obtained.
4. That the estimated cost of \$8,000 to provide underground electrical services on Ravenscliffe Avenue from Aberdeen Avenue to the south end of the street, as approved by City Council on July 28, 1987 by Item 48 of the Transport and Environment Committee, be financed from within the "Electrical" function of the Local Roads account 0352-1019.

* Recorded Vote, see page 1653

5. That all Departments, Local Boards and Standing Committees be requested to restrict any additional activities or levels of service contemplated for the balance of the 1987 year, as the current fund contingency account has been virtually spent or committed to date.
6. (a) That a report on the consideration of "pooling" arrangements with other municipalities regarding liability insurance, expansion of our self-insurance program, or other risk management proposals, be submitted by the Treasurer by March 31, 1988.

(b) That the City's liability insurance policies be extended to June 30, 1988 in order to allow sufficient time to properly assess any changes that may be proposed to the insurance program.
7. (a) That the Manager of Purchasing be authorized to issue a Request for Proposals to qualified maintenance firms for the annual maintenance of existing computer terminals.

(b) That the Request for Proposal be in a form satisfactory to the City Solicitor.

Note: It is estimated that this will result in a saving of approximately \$5,000 per year in maintenance costs.

8. That approval be given to inform the Board of Education that the City has no requirements to lease Inverness Public School, 402 Upper Wentworth Street at this time.

EXPLANATORY NOTE:

The City is in receipt of a letter from the Board of Education advising that Inverness Public School, 402 Upper Wentworth Street would be available for lease, effective September 1, 1987.

The various City and Regional departments have been canvassed to determine if they have any requirements to lease this school and the returns indicate in the negative.

9. (a) That the timetable for the preparation and review of the 1988 Current Budget Estimates be as follows:
 - 1) Sept. 4/87 - Treasurer sends budget call letter (containing instructions and parameters) to all Departments and Local Boards.
 - 2) Sept. 22/87 - Finance Committee receives 1988 Budget Forecast and establishing guidelines for processing budget and targeted budgetary increases.
 - 3) Oct. 16/87 - Deadline for completed budget submissions to be returned to Treasury.

- 4) Oct. 19 - Nov. 27/87 - Treasury monitors, assembles budgets and ensures compliance of submissions with guidelines; C.A.O. reviews budgets with Department Heads and Managers of Local Boards; Treasury prepares budgets for review by Standing Committees
- 5) Dec. 1/87 Finance Committee receives overview of status of budgets from Treasurer.
- 6) Jan. 4 - Feb. 18/88 - Standing Committees review budgets which at least includes detailed analysis of departmental budgets and acceptance/rejection of service/program packages during their scheduled meetings or at special meetings called specifically for budget review. Meeting dates should be set well in advance to avoid conflict with other schedules.
- 7) Feb. 22/88 - Special Council meeting to rank Committee accepted service/program packages to determine funding level if necessary.
- 8) March 1/88 - Finance Committee reviews final Estimates and forwards recommendation on 1988 City mill rates to City Council.
- 9) March 8/88 - City Council approves revenues and expenditures based on a calculated mill rate for City services.
- (b) That the preparation of Estimates (for each Department and Local Board) be done on the same basis as in 1987, so that the budget documentation presented to the Standing Committees will include:
 - 1) **a letter of transmittal** briefly explaining the budget document and other comments as deemed appropriate.
 - 2) summaries and line-by-line detail of **expenditures and revenues**.
 - 3) an **introductory form** to include purpose and objectives, long-term plans and number of staff.
 - 4) **detailed information on travelling, additional staff requests, and new equipment and other expenditure items as required.**
 - 5) **service/program "packages"** containing detailed information on all requests for "expansion" services, in priority sequence.
 - 6) **and other documentation** that a Department/Local Board may wish to submit to their Standing Committee.

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-1794-

* 10. That leave be granted to introduce the following Bill:

(a) G-9 : A By-law to Exempt The Corporation Called "Hamilton Jewish Communal Projects".

Respectfully Submitted

Alderman P.O. Valeriano,
Chairman, Finance Committee

John Thompson,
Acting Secretary
1987 August 19

* Section 10 Referred Back

* REPORT OF THE FINANCE COMMITTEE

To the Corporation of the City of Hamilton

Members of Council

The Finance Committee presents its FOURTEENTH Report for 1987 and respectfully recommends:

1. That the estimated total cost of \$3,500 to jointly sponsor two receptions in honour of Sir "Sonny" Ramphal, as referred to in Item 1 of the Thirteenth Report of the Legislation Committee, be financed by a transfer from account No. 0370-0263 "Hosting of Conferences with Municipal Subject Content" to account 0373-1003 "Special Civic Receptions and Delegate Hosting".

Respectfully Submitted

Alderman T. Cooke
Acting Chairman, Finance Committee

J.T. Schatz,
Acting Secretary

1987 September 1

* FOURTEENTH Report of the Finance Committee
added during Council.

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW . .

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his FOURTH Report for 1987 and respectfully recommends:

1. For the information of the members of City Council, the following citizen member has been appointed to serve on the Mayor's Race Relation's Committee for the duration of this Council's term of office:

Bernadette Twal
(representing the Palestinian Association
of Hamilton)
2. That Dr. Harish Jain, Co-Chairman of the Mayor's Race Relations Committee for the City of Hamilton, be authorized to attend the National Task Force on Race Relation's Committee of the Federation of Canadian Municipalities in Edmonton, Alberta on Sunday, 1987, September 13 with related expenses being charged to the Mayor's Race Relation's budget.

Respectfully submitted

Robert M. Morrow
Mayor

S. Glover, Secretary
Mayor's Race Relation's Committee

1987 August 19

* REPORT OF THE SPECIAL COMMITTEE TO ADMINISTER
THE HAMILTON-SCOURGE PROJECT

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Special Committee to Administer the Hamilton-Scourge Project presents its SECOND Report for 1987 and respectfully recommends:

1. (a) That a purchase order be issued to Economic Planning Group, Mississauga, Ontario, in an amount not to exceed \$25,000 to conduct a Financial Impact Study for Hamilton-Scourge Museum, in accordance with specifications issued by the Manager of Purchasing and Vendor's proposal.
- (b) That an agreement, satisfactory to the City Solicitor, be entered into between the City and the successful bidder.

Note: Eight (8) proposals were received. Funds have been provided in Consultant for Hamilton-Scourge Project Account #0337-0119.

Respectfully submitted,

ALDERMAN W. M. McCULLOCH, CHAIRMAN,
SPECIAL COMMITTEE TO ADMINISTER
THE HAMILTON-SCOURGE PROJECT

S. J. Dembe, Secretary,
1987 September 1.

* SECOND Report of the Special Committee to Administer the Hamilton-Scourge Project added during Council.

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MEETING OF HAMILTON CITY COUNCIL
TUESDAY, SEPTEMBER 29, 1987
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor.

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps,
Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling,
Murray, Ross.

The Reverend Eleanor Epp-Stobbe, Hamilton Mennonite Church, led the Council in prayer.

His Worship Mayor Robert M. Morrow called the meeting to order,

Presentations were made to 35 year employees.

His Worship Mayor Robert M. Morrow read the following proclamations:

- (1) United Nations World Habitat Day
- (2) Shelter for the Homeless Week

Certificates of Appreciation were awarded to the following:

- (1) Regimental Sergeant Major Albert Richard Churchill of the 23rd Hamilton Service Battalion.
- (2) Lieutenant Derek Guiney of the Hamilton Fire Department.
- (3) Mr. Gerry Hourigan on his recent election as President of International Association of Fire Buffs.

The minutes of the meeting of September 1, 1987, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from G. F. Viuker, 418 Limeridge Road East, Hamilton, Ontario, for a change in zoning, property located at 418 Limeridge Road East, dated August 31, 1987.
2. Application from John Moir, 25 Proctor Boulevard, Hamilton, Ontario, for a change in zoning, property located at 182-184 Jackson Street East, dated September 1, 1987.
3. Application from Richard Glen Brown, P.O. Box 52, Binbrook, Ontario, for a change in zoning, property located at 1154 Leaside Road, dated September 2, 1987.

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GOVERNMENT DOCUMENTS

4. Application from A. DeSantis Developments Limited, 208 Ottawa Street North, Hamilton, Ontario, for a change in zoning, lands located on the west side of the proposed extension of Greenhill Avenue in the area south of Pavarotti Court, dated September 2, 1987.
5. Application from The Hamilton/Burlington YMCA, 79 James Street South, Hamilton, Ontario, for a modification to the "B" District regulations for property located at 25 High Street, dated September 3, 1987.
6. Application from Stefanovic Restaurant Ltd., 1360 King St. East, Hamilton, Ontario, for a change in zoning, property located at 67 Balmoral Avenue South, dated September 3, 1987.
7. Application from 566055 Ontario Inc., 275 King William Street, Hamilton, Ontario, for a modification to the "E" District regulations for property located at 24 Victoria Avenue North, dated September 8, 1987.
8. Application from Hamilton-Wentworth Head Injury Association, 319 Barton Street East, Hamilton, Ontario, for a modification to the "E-2" District regulations for property located at 100 Barnesdale Boulevard, dated September 14, 1987.
9. Application from T. Valery Construction Ltd., 2140 King St. East, Hamilton, Ontario, for a change in zoning, property located at the south-east corner of Upper Wentworth and Stone Church Road, dated September 15, 1987.
10. Application from Bar-Brock Enterprises Ltd., 499 King St. East, Hamilton, Ontario, for a change in zoning, property in the area east of Eleanor Avenue between Rymal Road East and Dulgaren Street, dated September 16, 1987.
11. Application from Marie Cantelmi, c/o Anthony Cantelmi, 185 Nugent Drive, Hamilton, Ontario, for a change in zoning, property located at 1538 Upper Ottawa Street, dated September 17, 1987.
12. Application from Hilliard Clark Harnden, 117 Hostein Drive, Ancaster, Ontario, and Helen Ann Anderson, 1620 Upper Gage Avenue, Hamilton, Ontario, for a change in zoning, properties located at 1614, 1620 and 1626 Upper Gage Avenue, dated September 28, 1987.
13. Letter from Mr. F. B. Martin, Sonan Developments Limited, re Application No. ZA 87 63 - Perri's Roadhouse, 1088 Main St. West, dated September 22, 1987.

* * * * *

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole to consider the following reports, with Alderman Merling in the chair.

* * * * *

(A) EXECUTIVE COMMITTEE - SEVENTEENTH REPORT.

Recorded vote on Section 7.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

Recorded vote on Section 11.

YEAS: Aldermen Hinkley, Wheeler, Cowell, Merling, Murray. - 5.

NAYS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Valeriano, Copps, Christopherson, Smith, Ross. - 9. LOST.

* * * * *

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - THIRTEENTH REPORT.

Recorded vote on Section 13.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

It was moved by Alderman Gallagher and seconded by Alderman Murray.

RESOLVED: that Section 36 be referred back. - CARRIED.

* * * * *

(C) PARKS AND RECREATION COMMITTEE - SIXTEENTH REPORT.

The recommendation of the Executive Committee on Section 7 was carried.

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Wheeler.

RESOLVED: that Section 10 be amended by deleting the word "not" in the first line of the first paragraph:

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Wheeler, Smith, Cowell, Merling, Murray, Ross. - 13.

NAYS: Aldermen Kiss, Copps, Gallagher. - 3. CARRIED.

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Wheeler:

RESOLVED: that the following be added to Section 10 as Subsection (b).

"(b) That an Option to Purchase the property located at 33 Clinton Street executed by the Owner, Mr. Douglas C. Samson on August 27th, 1987 and scheduled for closing December 30, 1987, for the sum of \$425,000. be accepted.

NOTE: That in accordance with the instructions of the Parks and Recreation Committee held Tuesday, September 22, 1987, the Real Estate Division of the Property Department was authorized to negotiate the acquisition of the property known as 33 Clinton Street (the former Hamilton Foundry Site). This Option to Purchase is to be considered by City Council as the result of a tie vote concerning the purchase of 33 Clinton Street without receiving, prior to costing, the written approval from the Ministry of the Environment, that the site is suitable for parks purposes." -

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Wheeler, Smith, Cowell, Merling, Murray, Ross. - 13.

NAYS: Aldermen Kiss, Copps, Gallagher. - 3. CARRIED.

* * * * *

(D) PLANNING AND DEVELOPMENT COMMITTEE - SEVENTEENTH REPORT.

Alderman D. Ross declared personal interest in, took no part in the debate, and refrained from voting on Section 6. He is employed by 568434 Ontario Inc.

* * * * *

It was moved by Alderman Smith and seconded by Alderman Ross.

RESOLVED: that Section 27 be amended to include, after the words "(7.315 metres) by a depth of", the following, "80 feet (24.38 metres), and comprising an approximate area of". - CARRIED.

* * * * *

(D) PLANNING AND DEVELOPMENT COMMITTEE - EIGHTEENTH REPORT.

* * * * *

(E) LEGISLATION COMMITTEE - THIRTEENTH REPORT.

Alderman P. Valeriano declared personal interest in, took no part in the debate, and refrained from voting on Section 7. He sells the diamonds referred to in this Section.

* * * * *

Recorded vote on Section 12

YEAS: Aldermen Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 7.

NAYS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Copps, Christopherson. - 8. LOST.

* * * * *

(F) PERSONNEL COMMITTEE - FOURTEENTH REPORT.

* * * * *

(G) FINANCE COMMITTEE - FIFTEENTH REPORT.

It was moved by Alderman Gallagher and seconded by Alderman Agro.

RESOLVED: that Subsection (a) of Section 12 be amended by adding the following, after the word "considered", in the fourth line:

"... except where additional staff will generate equal or greater revenue than the cost of such staff, including salaries, benefits, equipment, and any other related expenditure: ..." -

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YEAS: Mayor Morrow; Aldermen Agro, Valeriano, Gallagher, - 4.

NAYS: Aldermen Cooke, Kiss, McCulloch, Hinkley, Copps,
Christopherson, Wheeler, Smith, Cowell, Murray,
Ross. - 11. LOST.

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Murray.

RESOLVED: that Subsection (a) of Section 12 be amended by adding the following, after the word "considered", in the fourth line:

"... except where the cost benefits are justified to the satisfaction of City Council, ...". -

YEAS: Mayor Morrow; Aldermen Cooke, Hinkley, Murray. - 4.

NAYS: Aldermen Kiss, Agro, McCulloch, Valeriano, Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher, Ross. - 11. LOST.

* * * * *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that all items referred to in Section 12 be used as a guideline for the staff in the preparation of the budgets for 1988. -

YEAS: Mayor Morrow; Aldermen Wheeler, Smith, Gallagher, Murray. - 5.

NAYS: Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Cowell, Ross. - 10. LOST.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps.

RESOLVED: that Subsection (b) be amended by deleting the words; after the word "a" in the fifth line, reading as follows:

"maximum of 4.5% over 1987, by the following process:

- i) Departments and Local Boards include in their 1988 budget submissions specific proposals to reduce service levels;

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- ii) these proposals for service reductions be prioritized by the Department, Local Board, and Standing Committee for global ranking;
- iii) the prioritized listing showing the funding line be submitted to the Finance Committee, with all of Council involved, to confirm the ranking and the funding line;
- iv) a special meeting of Council be called to approve the funding line which will indicate specific services below the line which will be reduced or eliminated.;

and inserting in lieu thereof the following:

"2% maximum to be achieved by the application of the line by line zero base budgeting process." - LOST.

* * * * *

It was moved by Alderman Christopherson and seconded by Alderman Murray.

RESOLVED: that Subsection (c) of Section 12 be amended by deleting the first paragraph, reading as follows, and including the word "NOTE". -

"c) That the Regional Municipality of Hamilton-Wentworth, the Board of Education for the City of Hamilton, and the Hamilton Wentworth Separate School Board, be informed of the City's intention and be requested to adopt similar proposals for budget preparation.

Note:" -

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Hinkley, Copps, Christopherson, Cowell, Gallagher, Merling, Murray. - 10.

NAYS: Aldermen Kiss, Agro, Valeriano, Wheeler, Smith, Ross. - 6. CARRIED.

* * * * *

Recorded vote on Subsection (a) of Section 12.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, Valeriano, Copps, Cowell, Ross. - 7.

NAYS: Aldermen Cooke, McCulloch, Hinkley, Christopherson, Wheeler, Smith, Gallagher, Merling, Murray. - 9. LOST.

* * * * *

Recorded vote on Subsection (b) of Section 12.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Valeriano, Copps, Cowell, Ross. - 7.

NAYS: Aldermen Kiss, McCulloch, Hinkley, Christopherson, Wheeler, Smith, Gallagher, Merling, Murray. - 9. LOST.

(G) FINANCE COMMITTEE - SIXTEENTH REPORT.

(H) HIS WORSHIP MAYOR ROBERT M. MORROW - FIFTH REPORT.

(I) THE NOMINATING COMMITTEE - THIRD REPORT,

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the Report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: 0. - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a first time:

A-36,
B-73, B-74, B-75,
C-5,
D-113, D-114, D-115, D-116, D-117, D-118, D-119, D-120,
E-16, E-17, E-18,
G-9 - CARRIED.

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Merling in the chair.

A-36,
B-73, B-74, B-75,

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C-8,
D-113, D-114, D-115, D-116, D-117, D-118, D-119, D-120,
E-16, *E-17, E-18,
G-9 -

*Recorded vote on Bill E-17.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch,
Valeriano, Hinkley, Christopherson, Wheeler, Smith,
Cowell, Ross. - 12.

NAYS: Alderman Copps. - 1. CARRIED.

Consideration of the Bills (second reading).

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the Report of the Committee of the Whole (second reading)
on the Bills be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano,
Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Merling,
Murray, Ross. - 15.

NAYS: 0. - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a third time.

A-36,
B-73, B-74, B-75,
C-5,
D-113, D-114, D-115, D-116, D-117, D-118, D-119, D-120,
E-16, E-17, E-18,
G-9 - CARRIED.

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that Alderman T. Murray be appointed Acting Mayor for the month
of October, 1987. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano,
Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Merling,
Murray, Ross. - 15.

NAYS: 0 - CARRIED.

NOTICES OF MOTION

His Worship Mayor Robert M. Morrow gave notice that he would move the following Notices of Motion at the next regular meeting of City Council.

- 1) RESOLVED: That Council again ask the Legislation Committee to recommend a format for ward boundary changes pursuant to previous Council decision.
- 2) RESOLVED: that Council vote to delete from the record all intention to seek approval to put in place a Board of Control structure for the City of Hamilton.

* * * * *

Alderman B. Hinkley gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED: that City Council request Hamilton Hydro to reconsider their change in policy of charging certain classes of users an increased deposit when these users change the location of their operations.

* * * * *

City Council adjourned at 11.15 o'clock, p.m.

* * * * *

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its **Seventeenth** Report for 1987 and respectfully recommends:

1. (a) That authorization be given to the Parking Authority for the City of Hamilton to purchase the following equipment and furnishings to be used in the operation and maintenance of the York Boulevard Parkade, at an estimated cost of \$36 500.
 - (i) One ride on Sweeper
 - (ii) Furniture - five cashiers stools
 - work station and chair for control room
 - table and six chairs for staff room
 - (iii) One fire proof safe
 - (iv) Vertical blinds for control room
 - (v) Detex Clock System
 - (vi) High pressure hose and trolley required for washdowns
 - (vii) Shelving units for storage of equipment and supplies
 - (viii) Miscellaneous equipment for cleaning and maintenance duties
 - (xi) Building material, for Maintenance work station
 - (b) That the expenditure be financed from the contingency allowance within the overall approved Parkade cost of \$7.2 million. Cadillac Fairview were issued a Purchase Order in the amount of \$7.2 million for the construction of the Parkade. The reduction of the contingency in the amount of 36 500 to permit the purchase of equipment necessary to the operation of the Parkade will result in a reduction of \$36 500 to the original Purchase Order issued to Cadillac Fairview. The new net contract total will therefore be \$7 163 500.
2. That the closing date of the sale by the City of the former Bank of Montreal property at James Street South and Main Street West, to 708077 Ontario Limited, scheduled for October 1, 1987, be extended to December 1, 1987 with all other terms and conditions of the said Agreement to remain unaltered and time shall remain of the essence.

NOTE: On April 14, City Council approved a recommendation of the Executive Committee, to execute an Offer to Purchase the subject Bank property, tendered by 708077 Ontario Limited, for the sum of \$1 000 000.

The completion of this transaction is scheduled for October 1, 1987 which at the time of negotiations appeared to be realistic. It is now apparent that owing to a number of complications inherent to the agreement, which cannot be satisfied within the scheduled time frame, an extension of two months is necessary. The complications referred to include:

- a) termination of a lease to the tenants in possession of the premises (C.I.B.C.) so as to provide vacant possession to the City,
 - b) preparation of an Easement in favour of the Ontario Heritage Foundation for imposition upon the building
 - c) site plan approval of the Purchaser's proposed development.
3. (a) That an Easement Agreement executed by the Ontario Heritage Foundation on September 15th, 1987, pursuant to Council's resolution on April 14th, 1987, be received.
- (b) That the Mayor and the City Clerk be authorized to execute said Easement Agreement on behalf of the Corporation, subject to the completion of its transaction with Canada Life Assurance, to purchase the former Bank of Montreal building at Main and James Streets.

NOTE: It being understood that upon completion of the said transaction, the Corporation will register the said Easement on title to the said property.

The subject Easement was proposed for the purpose of preserving the architectural character of the former bank's south, east, and north exterior facades; and the interior banking hall. The document which was prepared by the Foundation complies with these terms of reference.

4. That **Copeland Marketing and Communications** and OEB be authorized to gather and review existing graphic print material produced by the City of Hamilton and its Special Purpose Bodies and report to the Executive Committee on their findings at no charge, and that the Region be requested to initiate a similar review of their print material.

5. (a) That the Crown Point West/Stipeley PRIDE Programme be proceeded with at an estimated gross cost of eight hundred thousand dollars (\$800 000) as referenced in the 1987 portion of the 1987 - 1991 Capital Budget as Project No. E38005;

NOTE: Originally, the City of Hamilton applied for one and one-half million dollars for the Crown Point West/Stipeley PRIDE Programme. Since it has only been allocated four hundred thousand dollars, a total of eight hundred thousand dollars is available for implementation. (50% Municipal dollars, 50% Provincial funding).

- (b) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to finance Crown Point West/Stipeley PRIDE Programme at a gross cost of \$800 000 less provincial funding in the amount of \$400 000 leaving a net cost in the approximate amount of \$400 000 by the issuance of debentures for a period not to exceed 15 years recoverable from the mill rate levied on all rateable property and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$400 000 for a term not to exceed 15 years.
- (c) That the interim financing for the cost of drawings, public meetings, administration, preparation of community improvement plan, surveys, preparation of tender specifications and fees in the gross amount of \$50 000 be financed from the Reserve for Capital Projects, Account No. 0280-27 on an interim basis pending O.M.B. approval.
- (d) That, City Council advise the Minister of Municipal Affairs of its intention to utilize the Provincial allocation of \$400 000 for Phase I of the Crown Point West/Stipeley PRIDE
- (e) That, City Council authorize the Department of Community Development to proceed with the Project in two phases.

NOTE: The first phase would address mostly residential concerns possibly including priority one park, buffering to railway lines and other manufacturing land uses from residential areas, and the second phase would implement improvements to the industrial and commercial areas

- (f) That, the Department of Community Development be authorized to reapply for Provincial funding under the PRIDE Programme for Phase II of the Crown Point West/Stipeley Project for 1988-1989 at an estimated cost of \$1 000 000.

NOTE: In January of this year, at the request of City Council, the Department of Community Development applied for Provincial funding for the Programme for Renewal, Implementation, Development and Economic Revitalization (PRIDE) for the Crown Point West and a section of the Stipeley Neighbourhoods. Subsequently, a letter dated 1987 July 30, from the Honourable Bernard Grandmaitre, Minister of Municipal Affairs, approved a Provincial contribution of four hundred thousand dollars (\$400 000)

This item was approved by the Planning and Development Committee at its meeting held September 16, 1987.

6. (a) That the construction of a concrete alley in the block bounded by Hughson Street, Murray Street, John Street and Barton Street as a City initiative local improvement pursuant to Section 12 of The Local Improvement Act be proceeded with at an estimated owner's share of \$7 955.50 as well as the City's share of \$27 044.50 for a gross cost of \$35 000.
- (b) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct a concrete alley in the block bounded by Hughson Street, Murray Street, John Street and Barton Street at an estimated cost of owner's share of \$7 955.50, as well as the City's share of \$27 044.50, by the issuance of debentures totalling \$35 000 for a period not to exceed 15 years and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$35 000 for a term not to exceed 15 years for the above project.
- (c) That the Commissioner of Engineering be authorized to construct these works on behalf of the City of Hamilton, once all the necessary approvals have been received.
- (d) That the City Clerk and the City Treasurer be directed to give the necessary notice of the Council's intention to undertake these works.

NOTE: This item was approved by the Transport and Environment Committee at its meeting held September 21, 1987.

This project is included in the 1987 - 1991 Capital Budget as part of Project No. 37000 - City's share and Project No. 87000 - Owner's Share.

- * 7. (a) That the construction of the alley in the block bounded by Main Street, Kenilworth Avenue, Dunsmure Road and Crosthwaite Avenue as a local improvement on petition pursuant to Section 11 of the Local Improvement Act be proceeded with at an estimated owner's share of \$25 267.20 as well as a City's share of \$59 732.80 for a gross cost of \$85 000.
- (b) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct a concrete alley in the block bounded by Main Street, Kenilworth Avenue, Dunsmure Avenue and Crosthwaite Avenue, at an estimated cost of owner's share of \$25 267.20 as well as City's share of \$59 732.80 by the issuance of debentures totalling \$85 000 for a period not to exceed 15 years and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$85 000 for a term not to exceed 15 years for the above project.
- (c) That the Commissioner of Engineering be authorized to construct these works on behalf of the City of Hamilton, once all the necessary approvals have been received.

NOTE: This item was approved by the Transport and Environment Committee at its meeting held September 21, 1987.

This project is included in the 1987 - 1991 Capital Budget as part of Project No. 37000 - City's Share and Project No. 87000 - Owners' Share.

8. That, effective July 1, 1987, the benefit package for the Management Group be modified as follows:
- (a) That, effective July 1, 1987 the benefit package for the Management Group (Salary "A" to "F") be modified as follows:

<u>ENTITLEMENT</u>	<u>EXISTING</u>	<u>PROPOSED</u>
4 weeks vacation	1 year service	1 year service
5 weeks vacation	10 years service	9 years service
6 weeks vacation	21 years service	17 years service
6 weeks & 1 day vacation		20 years service
6 weeks & 2 days vacation		21 years service
6 weeks & 3 days vacation		22 years service
6 weeks & 4 days vacation		23 years service
7 weeks vacation	25 years service	25 years service

*Recorded Vote, see page 1800

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- (b) That, effective January 1, 1988 the vacation schedule for the Supervisory (Union Exempt) Group (Salary Levels "G" to "Q") be modified as follows:

<u>ENTITLEMENT</u>	<u>EXISTING</u>	<u>PROPOSED</u>
3 weeks vacation	3 years service	1 year service
4 weeks vacation	9 years service	3 years service
5 weeks vacation	17 years service	9 years service
6 weeks vacation	25 years service	17 years service
6 weeks and 1 day vacation		20 years service
6 weeks and 2 days vacation		21 years service
6 weeks and 3 days vacation		22 years service
6 weeks and 4 days vacation		23 years service
7 weeks of vacation		25 years service

- (c) That at least 2 weeks of the vacation time must be taken as a block of time. The remaining portion of the vacation can be taken as determined between the supervisor and employee.
- (d) That, unused vacation time at the end of a calendar year may be carried forward for one year. Vacation carried forward which has not been taken by December 31st is to be paid out at the salary rate of the preceding December 31st.
- (e) The Dental Plan be amended to provide 80% co-insurance (previously 50%).
- (f) That the Overtime Policy be as follows:

Levels A - K - It is recognized that the functions performed by positions in the A - K range are not only performed between 9 and 5 Monday to Friday. In recognition of this fact a week (5 working days) of time off is to be granted to the employees in this group.

- (g) Levels L - Q - Employees in this group earn overtime at time and one-half where overtime is specifically authorized or directed by the Department Head. Such overtime shall, where possible, be taken as compensating time. Should such time not be able to be taken, the Department Head shall recommend to the Commissioner of Human Resources and the Chief Administrative Officer that payment be made.

Overtime banks should be cleared annually and when an employee changes classifications or departments.

- (h) Where positions have travelling included as part of the job function, the travel time shall not be considered as overtime. Entitlement to overtime may occur as a result of the performance of work while travelling. Free time during the travel period, however, must also be recognized.

- 9. That in addition to the regular employment relationships, the Human Resources Department have the option of hiring on a contract basis with the mutual consent of the City and the applicant.

NOTE: With the adoption of Section 8 of the Twenty Fifth Report of the Executive Committee, City Council at its meeting on November 25, 1986, directed the Chief Administrative Officer in conjunction with the Commissioner of Human Resources to undertake a review and report to the Executive Committee with respect to the advisability and desirability of, retaining Department Heads, Deputies and other similar senior positions on a contract basis as opposed to the present practice of appointing them as permanent staff.

The Chief Administrative Officer and the Commissioner of Human Resources have reviewed this matter and recommends the foregoing.

- 10. Attached, for the information of the Members of City Council as Schedule "A" is a copy of a Summary of Capital Projects in Progress as at August 31, 1987.

NOTE: Detailed reports relative to the specific projects are available from the Secretary, Executive Committee or the City Treasurer.

- * 11. (a) That City Council endorse the concept of a joint venture with the Canadian Football League, Football Hall of Fame Committee, Imperial Tobacco and the City of Hamilton to provide for a promotional display in the Vancouver Convention Centre during the 1987 Grey Cup Activities at a total maximum cost to the City of Hamilton of \$30 000.

- (b) That the Finance Committee be requested to recommend the method of financing this expenditure.

* Section 11 Lost,
Recorded Vote, see page 1800

NOTE: With the adoption of Section 16 of the Seventeenth Report of the Executive Committee, City Council at its meeting on August 26, 1986 requested the Football Hall of Fame Museum and Management Committee to review and report to the Executive Committee with respect to the City's participation and presence at the 1987 Grey Cup.

The Football Hall of Fame Museum and Management Committee is recommending this joint venture and advised that the proposed display which will be in place for approximately 5 days will include the Grey Cup Trophy, Schenley Award and other League Trophies, bust of players, and various football artifacts ie: sweaters, helmets etc. and City of Hamilton promotional material.

Festivities taking place at the Vancouver Convention Centre during the Grey Cup week include the Grey Cup dinner on Saturday which will have an attendance of approximately 1,500 and the C.F.L. Grey Cup Extravaganza on Friday which is expected to attract 12,000 to 15,000 people.

12. (a) That an appropriation of \$46 000 be approved for Phase II of the 1994 Commonwealth Games Bid Committee Programme.
- (b) That the Finance Committee be requested to recommend the method of financing this expenditure.

NOTE: Phase II of the Programme is the formal presentation of the City of Hamilton's Bid to the Commonwealth Games Association of Canada Inc. in Montreal, November 7, 8, and 9, 1987.

This appropriation will provide for a first class and very professional presentation which the Bid Committee and the Executive Committee feels is essential if the City is to be favourably considered as host of the 1994 Commonwealth Games.

13. (a) That an appropriation of \$8 000 be approved for hosting and entertaining the Mayor and Civic Delegates from Ma Anshan, China who will be visiting the City of Hamilton from Sunday, September 27, 1987 to Tuesday, October 6, 1987.
- (b) That this expenditure be financed from Account 0370-0263 - "Hosting Conferences with Municipal Subject Content".

14. That leave be granted to introduce the following Bill:

(a) Bill A- 36: A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted

Mayor R. M. Morrow, Chairman
Executive Committee

J. J. Schatz, Secretary
Executive Committee

1987 September 24th
/dg
att.

09/29/87

Schedule "A" referred to in Section 10
of the 17th Report of the Executive Comm.

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)

as at August 31, 1987

Item No.	Project Description	Month/Year of Project		Gross Cost	Expended and Committed	Balance Available	Is the Project on Target?	
		Start	Finish				Yes or No	Budget
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
<u>General Administration</u>								
1	Energy Conservation Program - 1983	07/83	12/87	200	176	24	Yes	Yes
2	Ceramic Belting Replacement and Window Repair - City Hall	01/85	06/87	40		40	Yes	Yes
3	Energy Conservation Projects - City Hall	06/84	12/87	730	349	381	<input type="checkbox"/> No	Yes
4	Capital Construction Grant - General Hospital	10/85	12/87	870	856	14	Yes	Yes
6	Major Maintenance to Civic Buildings	05/86	06/88*	200	190	10	Yes	Yes
9	Treasury Department Computer Program - Data Base and Fourth Generation Language	09/86	12/89	550	55	495	Yes	Yes
10	Handicapped Access to Recreational Buildings	09/86	12/88	100	Nil	100	Yes	Yes
11	Energy Conservation Projects	05/86	12/87	50	Nil	50	Yes	Yes
12	Construction Costs/Accommodation Requirements - Aldermen's Offices	06/86	05/87	705	619	86	Yes	Yes
13	Construction Costs/Accommodation Requirements - City Hall	07/86	12/87	88	43	45	Yes	Yes
15	Relocation Expenses - Human Resources Centre	04/87	06/87	51		51	Yes	Yes
16	Summer's Lane and Plaza-Landscaping and Entrance Improvement			200				
17	Treasury Department - Computer Software	08/87	12/87	100		100	Yes	Yes

City of Hamilton
Treasury

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SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)
as at August 31, 1987

Item No.	Project Description	Month/Year of Project	Gross Cost	Expended and Committed	Balance Available	Is the Project on Target?
(1)	(2)	Start (3)	Finish (4)	(5)	(6)	Yes or No (8)
(1-50) General Administration - Continued						
18	Treasury Department Computer Environment Improvements	09/87	06/88	350		Yes Yes
19	City Hall Computer Workstation Furniture	08/87	06/88	100	100	Yes Yes
20	Energy Conservation to Civic Buildings			250		
21	Major Maintenance to Civic Buildings			250		
22	Construction Costs - Accommodations - City Hall			132		
23	Blue Boxes for Recycling Materials	08/87	12/88*	632	632	Yes Yes
(51-100) Protection to Persons & Property						
52	Fire Stn. E. Mountain - Limeridge Rd. & Upper Ottawa St./Construction	05/87	12/87	960	846	Yes Yes
53	Fire Stn. E. Mountain, Limeridge Rd. & Upper Ottawa - Vehicle Purchase	06/86	11/87	275	258	Yes Yes
54	Fire Stn. - Stone Church Road & Upper Wellington/Land Acquisition	08/86	09/87	160	1	Yes Yes
(101-150) Department of Transportation						
102	Land Acquisition - Fessenden & Gurnett Neighbourhoods	1986	1987	365	Nil	Yes No
103	Road Access - Riverdale East Neighbourhood	08/86	10/88	377	16	No Yes

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City of Hamilton
Treasury

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SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)

as at August 31, 1987

Item No. (1)	Project Description (2)	Month/Year of Project Start (3)	Finish (4)	Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target? Yes or No Construction (8)	Budget (9)
(101-150)								
Department of Transportation - Continued								
104	MacNab & Mary Street Bridges Over C.N. Rail & Parkdale Bridge Over Lawrence Road	08/86	12/87	135	10	125	<div>No</div> <div>Yes</div>	Yes
105	Windermere Basin - Clean Up	1986	1987	750			<div>Yes</div> <div>Yes</div>	Yes
106	Roxborough Avenue Reconstruction	06/86	12/87*	390	364	26	<div>Yes</div> <div>No</div>	Yes
108	High Level Bridge Street Lighting			155			<div>No</div>	Yes
(201-250)								
Parking Authority								
201	Victor K. Copps Trade Centre/Arena Parking Facilities	02/84	Unknown	1,700	1,431	269	<div>No</div>	Yes
202	Victor K. Copps Trade Centre/Arena Parking Facilities Additional Costs	09/85	Unknown	590	261	329	<div>No</div>	Yes
203	Parking Facility in Southeast Quadrant	1986	Unknown	800	Nil	800	<div>No</div>	Yes
204	Construction of Parking Garage - York Boulevard and MacNab Street	05/87	12/87	7,200	7,200	Nil	<div>Yes</div>	Yes
205	Land Acquisition and Development of Additional Parking Facilities in Various Locations	1987	Unknown	200			<div>Yes</div>	Yes

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SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)

as at August 31, 1987

Item No.	Project Description	Month/Year of Project		Gross Cost	Expended and Committed	Balance Available	Is the Project on Target?	Yes or No
(1)	(2)	Start (3)	Finish (4)	(5)	(6)	(7)	Construction (8)	Budget (9)
(251-300)								
Department of Public Works								
251	Replacement of Wentworth Street Steps - Lower Section	10/85	09/87	230	171	59	Yes	Yes
253	Addition/Alterations to Yard Bldg. Brampton St. Dist. Yard #3	12/85	10/87*	293	293	Nil	Yes	Yes
254	Replacement of James Street Steps	05/86	12/87*	300	91	209	Yes	Yes
255	Construction of Salt Dome - Chedoke Maintenance Depot	05/86	10/87*	131	117	14	Yes	Yes
256	Centralized Computer Fuel System	05/86	10/87	300	226	74	Yes	Yes
257	Water Course Drop Structure - West of 350 Quigley Road	05/86	12/87	100	Nil	100	Yes	Yes
258	New Equipment Sanitation Division	04/87	12/87	180	169	11	Yes	Yes
259	Construction of New Mountain Public Works Yard	07/87	09/88	2,007	2	2,005	Yes	Yes
260	New Equipment Central Garage	04/87	10/87	68	64	4	Yes	Yes
261	New Equipment Streets Division	05/87	12/87	340	151	189	Yes	Yes
262	Construction of Salt Dome Districts 2 and 3	06/87	12/87	310	1	309	Yes	Yes
(301-350)								
Department of Culture & Recreation								
301	Replacement of Ice Making System - Coronation Arena	05/86	08/87	725	481	244	Yes	Yes
302	Parkland Acquisition Programme	01/85	Unknown	500	1	499	Yes	Yes
303	Replacement of Ice Making System - Inch Park Arena	10/85	08/87	900	684	216	Yes	Yes
304	Replacement of Ice Making System - Parkdale Arena	05/86	08/87	725	492	233	Yes	Yes

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City of Hamilton
Treasury

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SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)
as at August 31, 1987

Item No. (1)	Project Description (2)	Month/Year of Project Start (3)	Finish (4)	Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target? Yes or No Construction (8)	Budget (9)
(301-350)								
Department of Culture and Recreation - Continued								
306	Replacement of Ice Making System - Eastwood Arena	05/86	08/87	725	535	190	Yes	Yes
307	Bikepaths (Phase 1)	05/86	05/87	330	94	236	Yes	Yes
308	Replacement of Ice Making System - Scott Park Arena	05/86	09/87	600	395	205	Yes	Yes
309	Construction of West Mountain Twin Arena - Mohawk and Upper Horning Golf Cart Storage Facility - King's Forest Golf Courses	Unknown	Unknown	6,605	185	6,420	No	Yes
310		06/87	12/87	64*		64*	Yes	Yes
311	Bike Paths (Phases 2, 3 & 4)	05/87	12/89	990	1	989	Yes	Yes
312	Renovations Artificial Ice Rink - Scott Park	06/87	12/87	350	14	336	No	Yes
313	Hamilton Tennis Club - Improvements to Court Lighting	06/87	08/87	50	41	9	Yes	Yes
314	Brian Timmis Stadium Parking	05/87	08/87	150	86	64	Yes	Yes
(351-400)								
Parks Division								
351	Ivor Wynne Stadium - Rehabilitation of N/S Stands - Press Boxes, Etc.	04/86	12/88	1,275	972	303	Yes	Yes
352	Ivor Wynne Stadium - Rehabilitation of North/South Stands	04/85	06/88	625	358	267	Yes	Yes
353	Mohawk Sports Park (Stage IV)	10/82	11/87	550	462	88	Yes	Yes
354	Waterfront Parks Development - Study Phase	09/84	12/87	150	140	10	Yes	Yes

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SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)
as at August 31, 1987

Item No.	Project Description	Month/Year of Project	Gross Cost	Expended and Committed	Balance Available	Is the Project on Target?	Yes or No	
(1)	(2)	Start (3)	Finish (4)	(5)	(6)	(7)	Construction (8)	Budget (9)
(351-400) Parks Division - Continued								
355	Mohawk Sports Park (Stage V)	08/85	08/87	650	631	19	Yes	Yes
356	Chedoke Golf Course Storage and Workshop	06/86	06/88	161	Nil	161	<div>No</div>	Yes
357	Track Facility - Mohawk Sports Park	05/86	06/88*	300	Nil	300	<div>No</div>	Yes
358	Floodlighting Fields - Mohawk Sports Park	10/86	10/87*	120	Nil	120	Yes	Yes
359	Waterfront Parks Development - Environmental Study	06/86	12/86	600	600	0	Yes	Yes
360	Waterfront Parks Development - Consulting Services	06/86	12/87	200	92	108	Yes	Yes
361	Half-way House - Chedoke Golf Course	05/86	08/87	60	55	5	Yes	Yes
362	Mohawk Sports Park (Stage 6)	06/87	08/88	630	1	629	Yes	Yes
363	Mohawk Sports Park Construction of Utility Building	07/87	04/88	198		198	Yes	Yes
(401-450) H.E.C.F.I.								
401	Central Utilities Plant - New Equipment	05/85	12/87*	316	287	29	Yes	Yes
402	Victor K. Copps Trade Centre/Arena	08/83	12/91*	41,429	39,918	1,511	Yes	Yes
403	Automated Facilities Management Computer System	06/86	12/88	83	9	74	Yes	Yes

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City of Hamilton
Treasury

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SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)
as at August 31, 1987

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?	
		Start (3)	Finish (4)				Yes or No Construction (8)	Budget (9)
(401-450) H.E.C.F.I. - Continued								
404	Victor K. Copps Trade Centre/Arena Renovations	07/87	12/87	130	5	125	Yes	Yes
405	Corporate Expense - Office Equipment	05/87	12/87	10	4	6	Yes	Yes
406	Corporate Expense - Equipment for Marketing Offices	05/87	12/87*	23	13	10	Yes	Yes
407	Central Utilities Plant - New Equipment	06/87	12/87	237	52	185	Yes	Yes
(501-550) Hamilton Public Library Board								
501	Kenilworth Branch Renovations	05/86	10/87	471	287	184	Yes	Yes
502	Replacement - Specialized Office Equipment and Furnishings	08/87	12/87	107		107	Yes	Yes
503	Terryberry Library Addition - 2nd Floor	08/87	12/88	1,566		1,566	Yes	Yes
(601-650) Planning								
601	Enclaves Clearance	08/87	12/91	3,000		3,000	Yes	Yes

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SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)
as at August 31, 1987

Item No.	Project Description	Month/Year of Project	Gross Cost	Expended and Committed	Balance Available	Is the Project on Target?	Yes or No	
(1)	(2)	Start (3)	Finish (4)	(5)	(6)	Available (7)	Construction (8)	Budget (9)
(651-700)								
Hamilton Convention Centre								
651	Hamilton Convention Centre Furniture & Equipment	06/86	12/87	62	54	8	Yes	Yes
652	Hamilton Convention Centre Furniture and Equipment	06/87	07/88*	288	19	269	Yes	Yes
(701-750)								
Community Development Department								
701	Downtown Action Plan - Phase III B	07/86	12/87*	1,300	1,223	77	Yes	Yes
702	Downtown Action Plan - Phase II	07/85	12/87*	1,603	1,599	4	Yes	Yes
703	Downtown Action Plan - Gore Park Area & Extension	07/83	12/87	3,529	3,526	3	Yes	Yes
704	James St. North Streetscape	07/86	12/88	1,764	60	1,704	Yes	Yes
706	Downtown Action Plan - Phase IV	05/87	12/88	1,429	26	1,386	Yes	Yes
707	O.N.I.P. Corktown/Stinson	05/87	12/90	900	72	828	Yes	Yes
708	Facade Improvement Programme	07/87	12/87	200	5	195	Yes	Yes
709	Facade Improvement Programme	07/87	12/90	600		600	Yes	Yes
710	Downtown Action Plan - C.I.B.C.	09/87	12/87	80		80	Yes	Yes
711	Commercial Improvement Programme	06/87	12/91	2,500		2,500	Yes	Yes
712	Industrial Revitalization			2,000			No	
713	Streetscape Improvements - York Boulevard - MacNab To James Street	06/87	12/87	100	10	90	Yes	Yes

09/29/87

1987 September 21
BLH:pjk

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REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Transport and Environment Committee presents its **THIRTEENTH** Report for 1987 and respectfully recommends:

1. (a) That the City of Hamilton require Subdividers to deposit \$2 000 for each new subdivision in the City of Hamilton, to cover the costs of cleaning streets due to mud tracking.
- (b) That the costs incurred by the City in cleaning streets due to mud tracking from a new subdivision shall be paid by the subdivider of that subdivision. If the subdivider fails to promptly pay these costs, then the City Treasurer is authorized to draw on the deposit to recover the costs incurred by the City.
- (c) That the City Solicitor be authorized to make all necessary amendments to the City's Subdivision Agreement.
2. (a) That a purchase order be issued to J. J. MacKay Canada Ltd., London in the amount of \$28 248 including applicable taxes, for the supply and delivery of Sixty (60) Parking Meters, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: On April 14, 1987, Council approved an order for 316 Meters and this order is for an additional quantity required for replacement stock. Lowest acceptable of two (2) tenders received. Funds provided in Parking Meter Materials Account #0394-3328.

- (b) That a purchase order be issued to Busch-Coskery of Canada, Mississauga, in the amount of \$345 813.30 including applicable taxes, for the supply and delivery of 81 000 Recycling Boxes, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of six (6) proposals received. Funds provided in Reserve for Capital Projects Account #0280-27 (\$105 033) with the balance of costs to be shared by the Provincial Ministry of the Environment and Ontario Multi-Materials Recycling Inc.

- (c) That a purchase order be issued to Bulk-Store Structures Limited, Erin, in the amount of \$135 666 including applicable taxes, for the construction of two (2) Salt Domes at Ferguson Avenue North and Brampton Street Yards, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and an agreement satisfactory to the City Solicitor be entered into between the City and the successful bidder.

NOTE: Lowest of two (2) tenders received. Funds provided in Construction of Salt Dome-District 2/3 Account #0408-V72885.

3. That approval be given for the sale of the alleyway south of Main Street East between Balmoral Avenue South and Grosvenor Avenue South as follows:

<u>Purchaser</u>	<u>Area</u>	<u>Price</u>	<u>Deposit</u>
(a) Diego Sebastianutti Mary Sebastianutti 168 First Road West Stoney Creek, Ontario L8H 1K5 (Owns 5 Balmoral Ave.S.)	5'x40' 200 sq.ft.	\$ 200	\$ 20 (Certified Cheque)
(b) George Badura 11 Balmoral Ave. S.	5'x120'(irreg) 1 000 sq.ft.	\$1 000	\$100 (Cash)
(c) Morris W. Felicetti Roxanne C. Felicetti 12 Grosvenor Ave. S.	5'x120'(irreg) 1 000 sq.ft.	\$1 000	\$100 (Cash)
(d) Michael Wyslobicky Jessie Wyslobicky 174 Normanhurst Ave. (Owns 4 Grosvenor Ave.S.)	5'x40' 200 sq.ft.	\$ 200	\$ 20 (Cash)

The exact area of the subject parcel of land will be determined later through a survey prepared by the applicant for the closure. The final purchase price of the lands described herein is to be calculated by applying a rate of \$1 per square foot applied to the land being purchased as defined by the survey. This could result in an upward or downward adjustment to the approximate purchase price.

The closing of these transactions are scheduled for 60 days after the enactment of a by-law to sell the closed alleyway between Balmoral Avenue South and Grosvenor Avenue South, south of Main Street East. The purchase price is to be credited to account 0280-02, and the deposits are being held by the Treasury Department pending approval of these transactions.

It is understood and agreed that these Offers are conditional upon a Judge's Order being granted to close the alleyway between Balmoral Avenue South and Grosvenor Avenue South, south of Main Street East.

4. (a) That an Option to Purchase part of the property at 1123 Upper Wentworth Street executed by the owner, Ronald V. Whitwell on September 11, 1987 and scheduled for closing on November 23, 1987 be approved and completed.

NOTE: This Property which is required for the construction of sidewalks on the east side of Upper Wentworth Street from Limeridge Road East to South Park Avenue has a frontage along the easterly limit of Upper Wentworth Street of 60 feet (18.29 metres) by a depth of 27 feet (8.23 metres). The purchase price of \$5,360.00 is to be charged to account 0280-02, as recommended by the Executive Committee and approved by City Council on July 28, 1987, Item 25 of the 11th Report of the Transport & Environment Committee.

Consideration in the amount of \$1.00 has been paid to the owner, and pursuant to the agreement, forms part of the purchase price.

- (b) That an Authority to Enter these lands prior to the closing date of November 23, 1987 in the amount of \$1.00 be approved.
- (c) That upon completion of this transaction, the City Solicitor be directed to convey these lands to the Region to be incorporated into the road allowance of Upper Wentworth Street.
5. That an Offer to Purchase the property at 2794 Barton Street East executed by Alan B. Silver, authorized signing officer for Vertex Development Corporation in Trust on September 8, 1987 and scheduled for closing on December 8, 1987, be approved and completed.

NOTE: The subject property is triangular in shape, measuring 91.39 feet (27.9 metres) more or less along the southerly limit of Barton Street East containing 3,518 square feet (326.8m²) more or less. The purchase price of \$24,626.00 is to be credited to account 0280-02. A deposit cheque in the amount of \$2,500.00 is being held by the City Treasurer pending approval of this transaction.

The exact area of the subject parcel of land will be determined later through a survey prepared by the City. The final purchase price of the lands described herein is to be calculated by applying a rate of \$7.00 per square foot applied to the land being purchased as defined by the survey. This could result in an upward or downward adjustment to the approximate purchase price.

The closing of this transaction is conditional upon the Purchaser being the registered owner of 2794 Barton Street East.

6. That an offer to purchase executed by Shelly Greenspoon on behalf of Mor Car Wash Systems Limited on September 2, 1987 and scheduled for closing 60 days after the enactment of a by-law to sell the closed alleyway shown as Part 2 on Plan 62R-8417, be approved and completed.

NOTE: This alley forms the east part of the first alley north of Main Street West between New Street and Strathcona Avenue South. It contains 436 square feet and is shown as Part 2 on Plan 62R-8417. The purchase price of \$4,360.00 is to be credited to account 0280-02. A certified deposit cheque in the amount of \$400.00 is being held by the City Treasurer pending approval of this transaction.

It is understood and agreed that this offer is conditional upon a Judge's Order being granted to close the portion of the alleyway shown as Part 2 on Plan 62R-8417.

7. That an Offer to Purchase executed by Tsutomu Morita on August 10, 1987 and scheduled for closing on November 23, 1987 for the purchase of a parcel of land along the westerly limit of Poulette Street, be approved and completed.

NOTE: This property which is surplus to municipal requirements has a frontage along the westerly limit of Poulette Street of .621 metres (2.03 feet) by a depth of 32.949 metres (108.1 feet), containing 18.9m² (203.44 square feet) shown as Part 5 on Plan 62R-8195. The sale price of \$205.00 is to be credited to account 0280-02. A deposit cheque in the amount of \$20.00 is being held by the City Treasurer pending approval of this transaction.

8. That an Offer to Purchase part of the closed alleyway south of 363 Osborne Street executed by Ken Smith and Deborah Hill on September 18, 1987 and scheduled for closing on or before November 24, 1987 be approved and completed.

NOTE: The purchase price of \$1,500.00 is to be credited to account 0280-02. A cash deposit in the amount of \$150.00 is being held by the City Treasurer pending approval of this transaction.

The subject property measures five feet along the westerly limit of Osborne Street by a depth of 105 feet containing 525 square feet (48.7) square metres), shown as Parts 4 and 10 on Plan 62R-3785. Part 4 is subject to an easement in favour of Bell Canada.

9. That the Real Estate Department be authorized to negotiate the acquisition of the four properties known as municipal numbers 324 and 332 Magnolia Drive and 118 and 128 Guildwood Drive on the presumption that all four parcels can be acquired simultaneously more or less. The purchase price of the properties shall include funds to cover the owners' replacement and relocation costs.

NOTE: Assuming that the said properties can be acquired, acceptance of this recommendation will further authorize the Real Estate Department to allocate the easterly ten foot flankage of 332 Magnolia Drive and 128 Guildwood Drive and the westerly ten foot flankage of 324 Magnolia Drive and 118 Guildwood Drive for the construction of a municipal walkway connecting the Gurnett and Fessenden Neighbourhoods. The remaining properties and residences thereon will be immediately marketed.

10. (a) That the northerly end of Ferguson Avenue North road allowance immediately south of the CN railway tracks be approved as the site for the Ferguson Yard salt dome and
- (b) That the Director of Public Works be directed and authorized to obtain the necessary approvals to close and retain the portion of the Ferguson Avenue North road allowance immediately south of the CN railway tracks.

11. That the Council of The Corporation of the City of Hamilton as approving authority under the Expropriations Act approve the Application for Approval to Expropriate Parts 1 and 2, Plan 62R-8497 (part of 480 Rymal Road West) for roadway and municipal purposes.

NOTE: That the proposed expropriation is recommended for approval for the following reasons:

- The land proposed to be expropriated is needed to establish a roadway and for municipal services.
- The location of the proposed roadway is in accordance with the approved neighbourhood plan.
- The proposed roadway will benefit the public.

12. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and John Dydzak Enterprises Limited for the collection of garbage at 63-91 Wentworth Street South, Hamilton.

NOTE: This agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchaser and file with the City Clerk an insurance policy to this effect, such policy to be an amount satisfactory to the City Solicitor. The City's Garbage By-law No. 66-182 provides for such collection.

- * 13. (a) That the "Amity Goodwill Industries" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from February 1, 1988 to February 8, 1988, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message:

"Donate to Amity Goodwill Industries"
"Dofasco Pops" - Hamilton Place
February 13 and 14
Call 526-8800
Support the Hamilton Philharmonic Orchestra"

- (b) That the "The Lung Association" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from November 28, 1988 to December 5, 1988, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message:

"Lungs are for Life - Please Give to Christmas Seals"

- * Recorded Vote on Section 13, see page 1800

- (c) That the "Winona Peach Festival" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from August 22, 1988 to August 29, 1988, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message:

**"Winona Peach Festival - August 26, 27, 28
Barton and Fifty Road, Stoney Creek"**

14. That the application of Leslie T. Paci, Solicitor, on behalf of the present owner of 300 Hunter Street West, Dean Carriere, to retain the following inadvertent encroachments, consisting of:

- an open roofed front porch and 2 1/2 story building on Pearl Street, 0.45m by 11.32m,
- frame metal shed on Pearl Street, 1.22m by 2.45m
- frame front porch steps on Hunter Street, 1.18m by 1.04m

be approved during the pleasure of Council, provided:

- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
15. That the application of J. F. Arsenault, Solicitor, on behalf of the present owner of 92 Florence Street, Paul McMaster, to retain the following inadvertent encroachment, on Inchbury St., consisting of a 2 story building 0.14m by 8.03m, be approved during the pleasure of City Council, provided:
- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

16. That the application of John Paul Millar, Solicitor, on behalf of the present owner(s) of 190 Napier Street, Henry Hildebrandt and Martha Hildebrandt to retain the following inadvertent encroachment(s), consisting of concrete steps, 1.58m by 1.57m, be approved during the pleasure of City Council, provided:
- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
17. That the application of Joseph L. McCormick, Solicitor, on behalf of the present owner of 192 Bold Street, William Thomas Scriven, to retain the following inadvertent encroachments consisting of:
- On Bold Street, 3 Wooden steps, 0.72m by 1.18m
 - On Hess Street South, a 2 storey frame house, 0.44m by 9.44m
- be approved during the pleasure of City Council, provided:
- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
18. The application of N. J. Zaffiro, Solicitor, on behalf of the present owner(s) of 205 Mary Street, Rosario Nicoletti and Roseanne Lawrow, to retain the following inadvertent encroachment, consisting of concrete steps, 0.722m by 1.22m be approved during the pleasure of City Council, provided:
- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

- (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
19. (a) That the owner request to discharge at his expense, the Paving Portions of Highway agreement at 104 Marcella Crescent, Instrument No. 96014 L.T. date of registration May 20, 1980 be approved subject to the satisfaction of the City Solicitor
- (b) That the appropriate Civic Officials be authorized to execute the documents in relation to this discharge.
20. (a) That the request of Mr. G. Klimek, owner, to discharge the encroachment agreement for 43 Gertrude St., Instrument No. 355761 C.D.; date of registration June 12, 1986, be approved, subject to the satisfaction of the City Solicitor
- (b) That the appropriate Civic Officials be authorized to execute the documents in relation to this discharge.
21. (a) That the authorization granted by City Council on June 24, 1986, in adopting Item 54(g) of the 12th Report of the Transport and Environment Committee respecting an inadvertent encroachment agreement for 20 Burris Street, be rescinded;
- (b) That authorization be granted to the City Solicitor's Department to initiate such legal action as may be necessary to protect the City's interests.
22. (a) That the authorization granted by City Council on September 30, 1986, in adopting Item 31 of the 16th Report of the Transport and Environment Committee respecting an inadvertent encroachment agreement for 22 Fairholt Road South, be rescinded;
- (b) That authorization be granted to the City Solicitor's Department to initiate such legal action as may be necessary to protect the City's interests.

23. (a) That the Commissioner of Engineering be authorized to issue a purchase order to the Public Works Department for \$13 000 for asphalt work at McKinstry St. Hillyard St., Niagara St. and Dickson St. Railway Crossings.
- (b) That the Commissioner of Engineering be authorized to issue a purchase order to Epton Industries Inc. for \$6 000 to supply rubber mud rails.
- (c) That the above be funded from Account No. 0352-0362 (1987 Specific Railway Maintenance).
24. (a) That a three way stop control be implemented at the intersection of Central Avenue and Rodgers Road; and
- (b) That northbound traffic on Rockingham Drive be required to stop for eastbound and westbound traffic on Parkwood Crescent; and,
- (c) That eastbound traffic on Kinnell Street be required to stop for northbound and southbound traffic on Inchburry Street; and
- (d) That southbound traffic on Shirley Street be required to stop for eastbound and westbound traffic on Hardale Crescent; and,
- (e) That westbound traffic on Gilcrest Street be required to stop for northbound and southbound traffic on Guildwood Drive; and,
- (f) That eastbound traffic on Golfwood Drive be required to stop for northbound and southbound traffic on Guildwood Drive; and
- (g) That three-way stop control be implemented at the intersection of Trevi Road and Guildwood Drive; and,
- (h) That the City Traffic By-law 66-100 be amended accordingly.
25. (a) That a "Permit Parking, 8:00 a.m. to 5:00 p.m. Monday to Friday" regulation be implemented on the east side of Lorne Avenue between Afton Avenue and Maplewood Avenue; and,
- (b) That the Director of Traffic Services be authorized to issue one parking permit, upon request to one resident of each of the 17 one, two or three family dwellings abutting the block, and any additional permits (to a maximum of 19) on a first come first served basis; and,
- (c) That the City Traffic By-law 66-100 be amended accordingly.

26. (a) That the existing parking prohibition be rescinded such that there is unrestricted free parking on the north side of Tecumseh Street between the east curb line of Inchbury Street and the westerly end; and,

(b) That the City Traffic By-law 66-100 be amended accordingly.
27. (a) That an "Alternate Side Parking" regulation be implemented on Oakland Drive between Kentley Drive and Ellingwood Avenue such that parking is prohibited;

- On the east and south sides of the street during the months of December, January, February and March and from the 1st to 15th of April, May, June, July, August, September, October and November; and

- On the west and north sides of the street from the 16th to the last day of April, May, June, July, August, September, October and November;

(b) That the Traffic By-law 66-100 be amended accordingly.
28. (a) That a "One Hour Parking Time Limit 8:00 a.m. to 9:00 p.m. Monday to Saturday" regulation be implemented on the south side of MacAuley Street from James Street North to a point 79 feet easterly therefrom; and

(b) That the City Traffic By-law 66-100 Be amended accordingly.
29. (a) That a "One Hour Parking Time Limit 8:00 a.m. to 6:00 p.m. Monday to Saturday" regulation be implemented on the north side of Sanders Boulevard commencing at Daleview Court and extending to a point 164 feet easterly therefrom; and,

(b) The City Traffic By-law 66-100 be amended accordingly.
30. (a) That stopping be prohibited on the north side of Crockett Street between East 31st Street and a point 45 feet easterly therefrom; and,

(b) That stopping be prohibited on the north side of Crockett Street between East 32nd Street and a point 58 feet easterly therefrom; and

(c) That stopping be prohibited on the south side of Crockett Street between East 32nd Street and a point 65 feet westerly therefrom; and,

- (d) That the "No Stopping" corner clearance on the north side of Dunsmore Road commencing at Tuxedo Avenue North and extending to a point 73 feet easterly, be shortened such that it commences at Tuxedo Avenue North and extends to a point 53 feet easterly therefrom; and,
 - (e) That parking be prohibited on the west side of Hayden Avenue between Mohawk Road East and a point 112 feet southerly therefrom; and
 - (f) That the City Traffic by-law 66-100 be amended accordingly.
31. (a) That, in accordance with the request by the Hamilton Street Railway Company, the following bus stop relocations be approved:
- Upper James (Limeridge Extension) Route - Westbound
 - Delete - Limeridge at Lynbrook (F/S)
 - Add - Garth at Limeridge (F/S)
 - Upper James bus route (southbound)
 - Delete - Upper James at Inverness (FS)
 - Add - Upper James at Duff
- (b) That By-law 66-100 be amended accordingly.
32. (a) That a "No Parking, between 8:30 a.m. to 5:00 p.m., Monday to Saturday" regulation be implemented on the south side of Crockett Street commencing at a point 25 feet east of East 32nd Street and extending to a point 60 feet easterly therefrom; and
- (b) That the City Traffic By-law 66-100 be amended accordingly.
33. (a) That the West curb lane of John Street North northbound at Strachan Street designated for left turns only at all times, and;
- (b) That the City Traffic By-law 66-100 be amended accordingly.
34. (a) That the Westdale North Neighbourhood be designated as a Neighbourhood Watch Area; and,
- (b) That neighbourhood Watch signs for the Westdale North Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch program as determined by the Regional Police Department; and,

- (c) The necessary funds be charged to Account No. 0345-0560 (Neighbourhood Watch Program).

35. That the Director of Traffic Services be authorized, at his discretion, to temporarily cover or remove signs related to the parking or stopping of vehicles on public highways in order to provide relief to residents who are temporarily unable to gain access to their properties during the reconstruction or repair of City streets or off-street parking areas.

- * 36. (a) That no action be taken on the request that three-way stop control be implemented at the intersection of Robertsfield Drive and Rexford Drive;
- (b) That westbound traffic on Robertsfield Drive be required to stop for northbound and southbound on Rexford Drive;
- (c) That parking be prohibited on the south side of Robertsfield Drive between Upper Gage Avenue and a point 90 feet westerly therefrom; and,
- (d) That the City Traffic By-law 66-100 be amended accordingly.

37. For the information of Council, the following 14 bus shelter locations for the City of Hamilton were approved for installation to conclude the 1987 Bus Shelter Program:

1987 BUS SHELTER LOCATIONS - CITY OF HAMILTON

(a)	King St. E. At Cochrane Rd.	N/E
(b)	Upper Horning Rd. At Golf Links	S/E
(c)	Wellington St. at Wilson St.	N/W
(d)	Nash Rd. at Queenston Rd.	N/W
(e)	Longwood Rd. at Main St. W.	N/W
(f)	Fennell Ave. at Upper James St.	S/E
(g)	Upper Gage Ave. at Mohawk Rd.	N/W
(h)	Garth St. at Stone Church Rd.	S/E
(i)	Upper Gage Ave. at Fennell Ave.	N/W
(j)	Kenilworth Ave. at Main St. E.	N/W
(k)	Cannon St. at Wentworth St.	N/E
(l)	Main St. W. Opposite Macklin St.	S/Side
(m)	Limeridge Rd. at Upper Ottawa St.	N/E
(n)	Hess St. S. At Main St. W.	S/E

* Section 36 Referred Back

38. That the following bills be introduced:

- (a) B-73 By-law to close and sell Terra Cotta Avenue, Part 10,
Plan 62R-8119
- (b) B-74 By-law to Amend By-law 66-100 to Regulate Traffic
- (c) B-75 By-law to Amend By-law 66-100 to Regulate Traffic

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse
Secretary

1987 September 20

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Parks and Recreation Committee presents its SIXTEENTH Report for 1987 and respectfully recommends:

1. (a) That a purchase order be issued to Lawn Rangers Limited, Burlington, for grass spraying at various cemeteries for the years 1987 and 1988 in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

- 1987 - \$17,937.96
- 1988 - \$17,937.96

- (b) That an agreement satisfactory to the City Solicitor be entered into between the City and the successful bidder.

NOTE: As the service is to be provided during the summer months, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council.

Only Acceptable of two tenders received. Funds provided in Grass Spraying Accounts #0354/5/6/7/8-0719.

2. That a purchase order be issued to Johnson Matthey Limited, St. Catharines, in the amount of \$18,877.73 including all applicable taxes, for the supply of Grave Corner Markers in accordance with Vendor's quotation.

NOTE: Only supplier available. Funds provided in Grounds Repairs and Maintenance, Account #0359-0932.

3. That a purchase order be issued to Ancaster Paving Limited, Ancaster in the amount of \$34,344 for pavement repairs at Mountain Arena and Huntington Park Tennis Courts, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

NOTE: As this work should be performed during the summer months, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

Lowest acceptable of five (5) tenders received. Funds provided in Tennis Courts-Paint, Repair, Replacement Account #0367-0576.

4. That a purchase order be issued to Raincentre Irrigation Contractors Ltd., Waterdown, in the amount of \$43,795.53 including applicable taxes, for the supply and delivery of parts for Rainbird Irrigation System at Chedoke Golf Course, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

NOTE: Only tender received. Funds provided in Irrigation Chedoke Account #0408-C1627 (\$21,989.53) and Chedoke Contractual Account #0364-2619 (\$21,806).

5. (a) That the Tender received from Dufferin Construction Company for the Mohawk Sports Park Running Track not be accepted (only bid received).
- (b) That this work be done in-house, under the direction of the Landscape Superintendent of the Public Works Department.
- (c) That a Contract be entered into with Sports Surfaces Inc. in the amount of \$153 000 in accordance with their letter dated 1987 September 17. Funds to be provided from the Mohawk Sports Park - Running Track Account No. 0408-C66335.
- (d) That the location be as shown on the drawing, appended hereto.
6. That approval be given for the action taken by the Director of Public Works in authorizing a \$5 907.19 addition to the contract awarded to Dufferin Construction Limited for the construction of a Parking Lot at Brian Timmis Stadium.

NOTE: Sufficient funds are available for contingency in account #0408-C66365 - Brian Timmis Stadium Parking Lot.

7. (a) That the basic city contribution of \$5,000 and an additional \$5,000 to match those funds raised in the community be allocated to the McQueston Park in the Rushdale Neighbourhood for the installation of playground equipment on the site in accordance with the policy approved by City Council on 1986, May 13 and amended on 1986, October 28; and

- (b) that the Executive Committee be requested to recommend the method of financing this project.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE \$10 000 REQUIRED FOR THE INSTALLATION OF PLAYGROUND EQUIPMENT FOR MCQUESTON PARK (RUSHDALE NEIGHBOURHOOD) BE FINANCED FROM THE RESERVE FOR ACQUISITION OF LAND UNDER THE PLANNING ACT, ACCOUNT 0280-11. CARRIED.

8. That \$100 000 be transferred from the Reserve for Lands conveyed to the City for Public Purposes (Parkland) Account No. 0280-11 to the Stinson Priority Parkland Account No. 0408-C66076.

NOTE: - There is about \$1.7 million in the General fund for Priority Parks.

- Stinson is a Priority One Park. Seven of the eleven properties have been purchased.

- At present, the owners of 255 Young Street, Paul Fram and Patricia O'Connor, are willing to sell to the City.

- It is estimated that it will cost in the range of \$82,000 to purchase 255 Young Street.

- The Stinson Priority Park Account contains an unencumbered balance of \$68,131

- If \$100,000 is added to the balance in the Stinson Priority Parkland Account, it will be possible to purchase both 255 Young Street and an additional property.

9. That 4(b) of the Eleventh Report of the Legislation Committee which deals with the financing of a banquet in honour of summer sports programme volunteers in the amount of \$10,000, and which reads:

"That this cost be charged to account No. 0373-1003 - Special Civic Receptions and Delegate Hostings."

be amended to read:

"That this cost be included as an item in the "Programmed Events" section of the Culture and Recreation Department budget and financed by savings achieved in the salaries and wages account of the Scott Park arena due to a three month closure of this facility."

- * 10. That the City not proceed to purchase the property located at 33 Clinton Street (site of former Hamilton Foundry) from the owner, Douglas C. Samson, prior to receiving formal Ministry of Environment approval that the site is suitable for Parks purposes.

NOTE: The above recommendation is the result of a four-four tie vote and in accordance with Council's policy is being forwarded at this time for Council's consideration.

City Council at its meeting of April 28, 1987 authorized the Director of Real Estate to negotiate with the owners of the Hamilton Foundry Site with a view to redeveloping the lands for parks purposes. The property at that time was in the hands of Peat Marwick Ltd. Receiver/Manager for Hamilton Foundry Company Ltd. which had the property listed for sale for \$275 000.

Since the property had been used for quite some time for industrial purposes staff subsequently approached Mr. L. Sage, Chief Administrative Officer for authority to obtain an environmental risk audit to determine whether the site contained any hazardous materials and also requested permission to seek a demolition cost estimate due to the complexity of the structures on the site. These reports had a combined cost of \$6 000 and indicated:

Cost to demolish all buildings and remove footing - \$189 000.00
Cost to clear site and properly dispose of wastes - \$ 43 865.50

Total Cost to Clear Site for Park Development - \$232 865.50

Regrettably a bid of \$250 000 from the City was rejected by the receiver in favour of a matching bid from Mr. Samson the current owner, because staff could only supply an option document rather than an offer on behalf of the City. Despite this setback, staff approached Mr. Samson the new owner of the property to determine whether he would sell the property to the City. The result of negotiations with Mr. Samson is a purchase price of \$425 000.

Initially, from an economic standpoint this price appears to be highly inflated, however, in actual fact it is a very good deal for the City since, the current price of \$425 000 includes demolition and removal of all structures and clearance of the site a cost which above, is listed at \$232 865.50 and which taken with our original offer would have totalled \$482 865.50.

Unfortunately, negotiations have broken down over insertion of the following clause in the Option document,

- * Section 10 amended, see page 1844
Recorded Vote, see page 180.

"The contract arising from the acceptance of this Option shall be completed on or before October 30th, 1987 on which date the Owner will convey the said lands to the City or to its nominee by a good and sufficient deed thereof in fee simple, free and clear of all encumbrances, save as aforesaid, and shall deliver vacant possession of the said lands to the City free of all tenancies, leasehold interests or any other rights or interests therein."

- 11.(a) That the Pavilion of Dundurn Park be utilized for the purpose of conducting daily summer programmes in conjunction with the outdoor activities scheduled by Dundurn Castle.
- (b) That approval be granted on a daily basis from July 1 to Labour Day.
- 12.(a) That the Admission fees for Historic Sites, as appended hereto, be approved for the 1987-1988 season.
- (b) That the Admission fees for Dundurn Castle, Whitehern and the Military Museum, and Children's Museum category "without children rate" be effective as of October 1, 1987. The Children's Museum additional admission increases be phased in two stages in 1988.
- (c) That the category of "programme" as an additional category be approved and effective as of October 1, 1987 except for the Children's Museum which will be effective as of March 1988.
- (d) That the family rate be discontinued.
13. That the following bill be introduced:
C-5 By-law to Establish the Roxborough Elderly Persons Centre.

RESPECTFULLY SUBMITTED,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

R. C. Prowse,
Secretary

1987 September 22
Attach

* Section 10 amended to read:

10. a) That the City proceed to purchase the property located at 33 Clinton Street (site of former Hamilton Foundry) from the owner, Douglas C. Samson, prior to receiving formal Ministry of Environment approval that the site is suitable for Parks purposes.

City Council at its meeting of April 28, 1987 authorized the Director of Real Estate to negotiate with the owners of the Hamilton Foundry Site with a view to redeveloping the lands for park purposes. The property at that time was in the hands of Peat Marwick Ltd. Receiver/Manager for Hamilton Foundry Company Ltd. which had the property listed for sale for \$275 000.

Since the property had been used for quite some time for industrial purposes staff subsequently approached Mr. L. Sage, Chief Administrative Officer for authority to obtain an environmental risk audit to determine whether the site contained any hazardous materials and also requested permission to seek a demolition cost estimate due to the complexity of the structures on the site. These reports had a combined cost of \$6 000. and indicated:

Cost to demolish all buildings and remove footing - \$189 000.00
Cost to clear site and properly dispose of wastes - \$ 43 865.50

Total Cost to Clear Site for Park Development - \$232 865.50

Regrettably a bid of \$250 000. from the City was rejected by the receiver in favour of a matching bid from Mr. Samson the current owner, because staff could only supply an option document rather than an offer on behalf of the City. Despite this setback, staff approached Mr. Samson the new owner of the property to determine whether he would sell the property to the City. The result of negotiations with Mr. Samson is a purchase price of \$425 000.

- b) That an Option to Purchase the property located at 33 Clinton Street executed by the Owner, Mr. Douglas C. Samson on August 27th, 1987 and schedules for closing December 30, 1987 for the sum of \$425 000. be accepted.

NOTE: That in accordance with the instructions of the Parks and Recreation Committee held Tuesday, September 22, 1987, the Real Estate Division of the Property Department was authorized to negotiate the acquisition of the property known as 33 Clinton Street (the former Hamilton Foundry Site). This Option to Purchase is to be considered by City Council as the result of a tie vote concerning the purchase of 33 Clinton Street without receiving, prior to costing, the written approval from the Ministry of the Environment, that the site is suitable for parks purposes.

09/29/87

Initially, from an economic standpoint this price appears to be highly inflated, however, in actual fact it is a very good deal for the City since, the current price of \$425 000. includes demolition and removal of all structures and clearance of the site a cost which above, is listed at \$232 865.50 and which taken with our original offer would have totalled \$482 865.50.

Unfortunately, negotiations have broken down over inseration of the following clause in the Option document,

"The contract arising from the acceptance of this Option shall be completed on or before October 30th, 1987 on which date the owner will convey the said lands to the City or to its nominee by a good and sufficient deed thereof in fee simple, free and vacant possession of the said lands to the City free of all tenancies, leasehold interests or any other rights or interests therein."

SCHEDULE A
HISTORIC SITES ADMISSION RATES

P R O P O S E D

Regular Program/Group Rate

\$ 1.00	--
Free	--
1.00	--
Free	--
1.00	--
Free	--
1.00	--
Free	--
1.00	1.00
Free	1.00
1.50	--
Free	--
1.50	--
Free	--
1.50	--
Free	--
1.50	1.00
Free	1.00

Referred to in Section 12(a) of the
Sixteenth Report of the Parks and
Recreation Committee.

C U R R E N T

Category Regular Discount

Children's Museum
for March 1988

Adult	Free	--
Adult (with children)	Free	--
Disabled/Senior	--	--
Disabled/Senior (with children)	Free	--
Student	Free	--
Student (with children)	Free	--
Child (3 to 13)	1.00	1.00
Child (to age 3)	Free	--

Children's Museum
for Sept. 1988

Adult	--	--
Adult (with children)	Free	--
Disabled/Senior	Free	--
Disabled/Senior (with children)	Free	--
Student	--	--
Student (with children)	Free	--
Child (3 to 13)	1.00	1.00
Child (to age 3)	Free	1.00

C U R R E N T

<u>Category</u>	<u>Regular</u>	<u>Discount</u>
<u>Dundurn Castle</u>		
Adult	2.75	2.50
Disabled/Senior with card	2.00	1.80
Student (with card)	1.50	1.40
Child(to age 3)	Free	--
(Age 3 to Gr.8)		
PROGRAMME	--	--
(one hour programming)		
Child (age 3 to Gr.)	.90	.80
Family (2 adults & immediate children)	7.00	--
<u>Whitehern</u>		
Adult	1.75	--
Disabled/Senior (with card)	1.15	--
Student(with card)	1.15	--
Child (to age 3)	Free	--
(age 3 to Gr.8)	.90	--
PROGRAMME	--	--
(age 3 to Gr.8)		
Family (2 adults & immediate children)	4.65	--
<u>Hamilton Military Museum</u>		
Adult	1.40	1.25
Disabled/Senior (with card)	1.15	1.05
Student (with card)	1.15	1.05
PROGRAMME	--	--
Child (to age 5)	Free	--
(age 5 to Gr.8)	.90	.80
PROGRAMME to Gr.8)	--	--
Family (2 adults & immediate children)	3.95	--

<u>Regular</u>	<u>Program/Group Rate</u>
3.00	2.70
2.10	1.90
1.75	1.55
Free	--
1.25	1.10
1.25	1.10
--	--
1.75	--
1.25	--
1.25	--
Free	--
1.00	--
1.00	--
1.40	1.25
1.15	1.05
1.15	1.05
1.50	1.35
Free	--
.90	.80
1.25	1.10
--	--

* Discount rates apply to groups of 25 or more.

* In group bookings, teachers, group leaders and bus drivers are complimentary.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **SEVENTEENTH** Report for 1987 and respectfully recommends:

1. A. That **APPROVAL** be given to Zoning Application ZA-87-63, 543003 Ontario Limited, owner, for a modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations applicable to property located at No. 1088 Main Street West, as shown on the attached map marked as **APPENDIX "A"**, on the following basis:
 - (a) That the "G" (Neighbourhood Shopping Centre, etc.) District regulations as contained in Section 13 of Zoning By-law No. 6593 applicable to the subject lands be modified in accordance with Section 38 of the Planning Act R.S.O. 1983, to permit musical entertainment with non-amplified or electronic instruments within the restaurant for a period not to exceed six months from the date of passage of this By-law;
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1041, and that the subject lands on Zoning District Map W-33 be notated S-1041;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-33;
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations applicable to property located at No. 1088 Main Street West as shown on the attached map marked as **APPENDIX "A"**

The effect of the By-law is to permit musical entertainment with non-amplified or electronic instruments within the restaurant for a period not to exceed six months from the date of passage of this By-law in accordance with Section 38 of the Planning Act R.S.O. 1983 which otherwise would not be permitted in a "G" (Neighbourhood Shopping Centre, etc.) District.

B. That **APPROVAL** be given to Zoning Application ZA-87-63, 543003 Ontario Limited, owner, for a modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations applicable to property located at No. 1088 Main Street West, as shown on the attached map marked as **APPENDIX "A"**, on the following basis:

- (a) That the "G" (Neighbourhood Shopping Centre, etc.) District regulations as contained in Section 13 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variance as special requirement:
 - i) That the provisions of Section 18A TABLE 1.4 (f) of By-law No. 6593, shall not apply to a restaurant;
 - ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1041, and that the subject lands on Zoning District Map W-33 be notated S-1041;
 - iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-33;
 - iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the amending By-law not be forwarded for final passage by City Council until the applicant provides proof to the satisfaction of the City that 16 off-side parking spaces can be provided by way of a lease for a period of at least 10 years or more.

NOTE: The purpose of the By-law is to provide for a modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations applicable to property located at No. 1088 Main Street West as shown on the attached map marked as **APPENDIX "A"**.

The effect of the By-law is to exempt the restaurant from providing on-site parking would be required on the basis of one parking space for every six persons lawfully accommodated.

2. A. That **APPROVAL** be given to Zoning Application 87-64, Parkdale Hotel (Hamilton) Ltd., owner, request a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations for property located at No. 126 Queenston Road, as shown on the attached map marked as **APPENDIX "B"** on the following basis:

- i) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
 1. Notwithstanding Section 18(11)(b) 1. and 2. of By-law No. 6593, an outdoor patio shall be permitted in the westerly side yard;
 2. Notwithstanding section 18A(1)(f) and 18A(7) of By-law No. 6593, the Minimum Required Maneuvering space and minimum length of the eight parking spaces directly adjoining the outdoor patio shall have a minimum length of 5.0m.
- ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1042, and that the subject lands on Zoning District Map E-75 be notated S-1042;
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-75; and,
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to permit an outdoor patio used in conjunction with the established hotel/tavern located at No. 126 Queenston Road to be located in the westerly side yard whereas the Zoning By-law prohibits such use where any lot line adjoins a residential district or is separated from a residential district by a lane or alley.

In addition, the By-law provides for a variance to Section 18A The Parking and Loading Requirements of Zoning By-law 6593 to reduce the minimum length of eight parking spaces directly adjoining the outdoor patio and the minimum required maneuvering spaces from the required 6.0 m to 5.0 m.

- B. That By-law No. 79-275 establishing Site Plan Control be **AMENDED** by adding the subject lands to Schedule "A".

3. That **APPROVAL** be given to Zoning Application 87-72, Fortinos Supermarkets Limited, owner for a modification to the "M-12" (Prestige Industrial) District, permit the development of the subject lands for a bakery and a 232.25 m² (2,500 sq.ft.) accessory restaurant, for the property located at No. 1275 Rymal Road East, as shown on the attached map marked as **APPENDIX "C"**, on the following basis:

- (a) That the "M-12" (Prestige Industrial) District regulations as contained in Section 17D applicable to the subject lands be modified to include the following variances:

- i) That notwithstanding Section 17D(1)(b) and (c) the following additional uses shall be permitted.

<u>Identification No.</u>	<u>Industrial Use</u>
1072	Bread and other bakery products
	<u>Commercial Uses</u>
9212	Restaurants, unlicensed
9211	Restaurants, licensed
9213	Take out services

- ii) That the restaurant and take out service shall be accessory to the bakery and shall not exceed 232.25 m² of combined floor area.
- (b) That the amending By-law be added to Section 19B of Zoning By-law NO. 6593 as Schedule S-1038, and that the subject lands on Zoning District Maps E-59E be notated S-1038;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-59D and E-59E;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a modification to the "M-12" (Prestige Industrial) District for the property located at No. 1275 Rymal Road East, as shown on the attached map marked as **APPENDIX "C"**.

The effect of the By-law is to permit the development of the subject lands for a bakery and a 232.25 m² (2,500 sq. ft.) accessory restaurant.

4. A. That **APPROVAL** be given to Official Plan Amendment No. 50 to create a special policy area to permit professional offices within the existing building and the City Solicitor be directed to prepare a by-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth (see attached).
- B. That **APPROVAL** be given to Zoning Application ZA-87-74, Walter Jazvac, owner, requesting a modification to the existing "E-3" (High Density Multiple Dwellings) District regulations to permit the conversion of a single family dwelling to professional offices for properties located at Nos. 122-124 Young Street, as shown on the attached map marked as **APPENDIX "D"** on the following basis:
 - i) That the "E-3" (High Multiple Dwellings) District regulations as contained in Section 11C of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variance as a special requirement:
 1. That notwithstanding Section 11C(1) of By-law No. 6593, the following additional use shall be permitted within the existing building:
 - A.) Permitted Use

Professional Offices
 - B.) Accessory Use

One ground sign, wall sign, or projecting sign of an area not more than 0.4 m² (4.31 sq. ft.) non-illuminated or illuminated by non-flashing, indirect, or interior means only, located at least 1.5m (4.92 ft.) from the nearest street line in connection with any commercial use permitted in the district.

- ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1040, and that the subject lands on Zoning District Map E-5 be notated S-1040.
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-5.
- iv) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of the Official Plan Amendment No. 50;
- v) That the Durand Neighbourhood Plan be changed by redesignating the subject lands from "High Density Apartments" to a "Commercial and Apartments" designation.

NOTE: The purpose of the By-law is to provide for a modification to the established "E-3" (High Density Multiple Dwellings, etc) District regulations applicable to properties located at Nos. 122-124 Young Street, as shown on the attached map, marked as **APPENDIX "D"**.

The effect of the By-law is to permit the following additional uses within the existing building located on the site:

a) Permitted Use

Professional Offices

b) Accessory Use

One ground sign, wall sign, or projecting sign of an area not more than 0.4 m^2 (4.31 sq. ft.) non-illuminated or illuminated by non-flashing, indirect, or interior means only, located at least 1.5 m (492 ft.) from the nearest street line in connection with any commercial use permitted in the district.

5. That **APPROVAL** be given to Zoning Application ZA-87-62, Peter Mercanti, prospective owner, requesting a modification to the "M-14" (Prestige Industrial) District regulations to permit the construction of a building for a catering business and banquet hall for the properties located on the north side of Bigwin Road, east of Anchor Road, as shown on the attached map marked as **APPENDIX "E"**, on the following basis:

- (a) That the "M-14" (Prestige Industrial) District regulations as contained in Section 17F of Zoning By-law No. 6593, applicable to the subject property be modified to include the following special requirement:

- i) That notwithstanding the provisions of Section 17F(1)(b) of By-law No. 6593 the following commercial use shall be permitted:

<u>Identification No.</u>	<u>Commercial Use</u>
9214	Caterers

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1039, and that the subject lands on Zoning District Map 69C be noted S-1039;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map 69C; and
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purposed of this By-law is to provide for a modification to the "M-14" (Prestige Industrial) District regulations for the properties located on the north side of Bigwin Road, east of Anchor Road, as shown on the attached map marked as **APPENDIX "E"**.

The effect of this By-law is to permit the construction of a building for a catering business and banquet hall.

6. That **APPROVAL** be given to Application SA-87-10, 568434 Ontario Inc., owner, to establish a Draft Plan of Condominium located at the north-east intersection of Upper Gage Avenue and Loconder Drive, subject to the following condition:
- (a) That this approval apply to the plan prepared by MacKay, MacKay & Peters Limited, Ontario Land Surveyors, dated May 14, 1987 revised to show a widening on Upper Gage Avenue which would establish a property line 18.29 metres from the centre line and a daylight triangle of 12.19 metres by 12.19 metres from the widened limits of Upper Gage Avenue and Loconder Drive.
 - (b) That the widening and the daylight triangle be dedicated as a public highway on the final plan.
7. That **APPROVAL** be given to Application SA-87-12 "Carrington Towers", Two-Way Construction Ltd., owner, to establish a draft plan of condominium located on the north side of Wheeler Place, east of Hess Street, south of Bold Street and west of Caroline Street, subject to the following condition:
- (a) "That this approval apply to the plan prepared by A. J. Clarke and Associates, O.L.S., dated April 9, 1987."
8. For the information of the members of City Council, the Planning and Development Committee has established a Development Incentives Sub-Committee for the purpose of overseeing the development of Vacant or underutilized civic lands on an experimental basis.
- NOTE:** Conditions of the Sub-Committee are attached herewith as **APPENDIX "F"**. A full report of the Hamilton Development Incentives Program was presented to the Planning and Development Committee. Copies of this Report are available from the Acting Secretary.
9. That the City Clerk inform the Regional Municipality of Hamilton-Wentworth that the City of Hamilton does not object to the proposed amendment to the Hamilton-Wentworth Official Plan to relocate a proposed shopping centre in the Town of Ancaster.

NOTE: The proposed amendment to the Hamilton-Wentworth Official Plan would permit the relocation of a proposed district shopping centre from a site at Mohawk Road and Highway 403 to a site approximately 800 metres to the east.

This application to amend the Hamilton-Wentworth Official Plan originally appeared before the Planning and Development Committee on May 27, 1987 and was subsequently referred back to Committee by City Council at its meeting of June 23, 1987.

Since this time, the applicants have amended their application to only include the relocation of the district level shopping centre and not include the redesignation of other lands from industrial to residential.

10. For the information of the members of City Council, the Planning and Development Committee has established a Task Force for the purpose of developing an action plan with respect to the concerns at the situation of single family dwellings being converted to multiple student housing in West Hamilton.

NOTE: The Planning and Development Committee has appointed Alderman T. Cooke to serve as the Chairman of this Task Force.

11. That the Building Commissioner be authorized to issue demolition permits for the demolition of the following residential buildings:
 - a) 551 John Street North
 - b) 312 Bold Street
 - c) 538 Barnaby Street
 - d) 429 Kenilworth Avenue North
12. For the information of the members of City Council, the Planning and Development Committee has directed that a Report, attached herewith and marked **APPENDIX "G"**, be forwarded to City Council. This Report addresses the shifting of workload priorities in the Building Department as a result of the impact of Council not approving the full request for staffing.
13. That the City Solicitor be authorized and directed to draft a By-law for Council's approval for the purpose of requiring all roof leaders to be connected to storm sewers.

14. (a) That the following Ontario Home Renewal Programme (O.H.R.P.) applications, and Hamilton Rehabilitation Programme (H.A.R.P.) applications, attached herewith and marked as **APPENDIX "H"** and **APPENDIX "I"** respectively be approved.
- (b) That the Director of Community Development be authorized to process grants/loans in an amount not to exceed \$7 500. per application.

NOTE: The actual amount of grant or loan will be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to Regulation 506 (R.R.O., 1980) under The Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.).

15. That the following loan increases for Second Level Lodging Homes under the Second Level Lodging Home Rehabilitation Programme be approved:

	<u>Owners</u>	<u>Second Level Lodging Home</u>	<u>Loan Increase</u>
(a)	Michael and John Job	849 Main Street East	\$4 967.
	NOTE: The total loan will now be for \$27 680.		
(b)	John Job	169 Delaware Avenue	\$5 775.

NOTE: The total loan will now be for \$18 831.

16. That the following Commercial Facade Loan Programme applications be approved.

	<u>Owner</u>	<u>Property</u>	<u>Loan Amount</u>
(a)	Panzex Montreal Incorporated	1 and 3 King St. E. 2 James St. N.	\$40 000.
(b)	Mr. A. DiSiena	253 James St. N.	\$15 000.

NOTE: The interest rate will be 4.5% amortized over 10 years.

17. (a) That the Department of Community Development be authorized and directed to apply to the Ministry of Housing for a further unit allocation of 300 under the Provincial Government's Low-Rise Programme for the balance of the Provincial fiscal year ending March 31, 1988.
- (b) That the Department of Community Development be directed to apply to the Ministry of Housing for the following allocations for 1988 - 1990:
- April 1, 1988 to March 31, 1989 - 500 units
April 1, 1989 to March 31, 1990 - 500 units
18. (a) That the closing of the transaction dated April 6, 1987 between Jim Pattison Industries Ltd. operating as Mountain City News and the City of Hamilton be extended to November 25, 1987.
- (b) That time continue to remain of the essence in the agreement and all other terms and conditions of the agreement are to remain the same.
19. That an Agreement by Owner to Accept Compensation executed by Sarmor Properties Limited on August 26, 1987 and scheduled for closing on November 3, 1987 in the total amount of \$15 190. plus 6% interest on the outstanding compensation for market value of the property at 760 Burlington Street East from June 22, 1983 to the date of the closing be approved and completed. Acquisition costs are to be charged to Account 0280-35 (Reserve for Alpha Enclave) in which sufficient funds are available to finalize this transaction.
- NOTE:** The subject property measures 22 feet (6.70 metres) along the southerly limit of Burlington Street East by a depth of 80 feet (24.38 metres) more particularly described as part of Lot 10, Plan 550, together with buildings erected thereon bearing municipal number 760 Burlington Street East.
20. That an Offer to Purchase the lands of the Corporation of the City of Hamilton, Lot 18, Plan M-227, Hamilton Industrial Park No. 1 located on Nebo Road, duly executed on September 3, 1987 by the Purchaser, Fin-Par Enterprises Inc., and scheduled for closing on December 2nd, 1987 be approved and completed.

NOTE: The purchase price is \$100 730. A deposit cheque in the amount of \$10 073. is being held by the Treasurer pending Council approval.

The property is composed of a parcel of land located on the western limit of Nebo Road, having a frontage of 200.21 feet by a depth of 433.31 feet/441.89 feet and containing an area of 2.0146 acres.

This Offer to Purchase is conditional upon the following conditions being met:

- (a) The Purchaser obtaining a tenant or tenants for the proposed building.
- (b) The Purchaser's, at their own expense, obtaining soil tests to determine the load bearing capabilities of the subject lands for the construction of the Purchaser's proposed building.
- (c) The Purchasers have until November 16th, 1987 to satisfy themselves to conditions 1 and 2. In the event the above conditions cannot be resolved by this date, the Vendor agrees to grant a further extension of 30 days if required and requested in writing by the Purchasers.
- (d) If the extension of 30 days is granted by the Vendor, then the closing date will also be extended by 30 days, provided that time remains of the essence and all terms and conditions remain in full force and effect subject to clause no. 7.

It is understood and agreed that the Vendor upon completion of this transaction will pay a 5% Real Estate Commission on the following basis to Lounsbury Realty Limited, 171 James Street South, Hamilton, Ontario L8P 3A3, whose agent, Mr. Gary Stapleton, acted in this matter.

1st	\$100 000.	of Purchase Price	-	5%
2nd	\$100 000.	of Purchase Price	-	4%

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto, and marked **APPENDIX "J"**.

21. That an Option to Purchase the property at 403 Sherman Avenue North duly executed by Donald Arnott on September 2, 1987 and scheduled to closed on or before November 24, 1987 be completed.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 and has a frontage of 20.08 feet (6.12 metres) by a depth of 90 feet (27.43 metres) comprising an approximate area of 1,807.2 square feet (167.88m²) with structures erected thereon. The purchase price of \$40 500. in accordance with **APPENDIX "K"**

herewith attached is to be charged to Account 0408-W75266, pending receipt of O.M.B. approval for funding. Demolition is to take place upon closing.

22. That an Option to Purchase the property at 3 Gerrard Street duly executed by Willi Richard Parow and Hedwig Maria Parow on September 8, 1987 and scheduled for closing on or before January 11, 1988 be completed.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 having a frontage of 19 feet (5.79 metres) by a depth of 94 feet (28.65 metres) and comprising an approximate area of 1,786 square feet (165.91m²) together with structures erected thereon. The purchase price of \$36 500. in accordance with **APPENDIX "L"** herewith attached is to be charged to Account 0408-W75266 pending receipt of O.B.M. approval for funding. Demolition is to take place upon closing.

23. That an Option to Purchase the property at 5 Gerrard Street duly executed by Ingeborg Carr on September 8, 1987 and scheduled for closing on or before January 12, 1988 be completed.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 having a frontage of 19 feet (5.79 metres) by a depth of 94 feet (28.65 metres) and comprising an approximate area of 1,786 square feet (165.91m²) together with structures erected thereon. The purchase price of \$36 500. in accordance with **APPENDIX "M"** herewith attached is to be charged to Account 0408-W75266 pending receipt of O.M.B. approval for funding. Demolition is to take place upon closing.

24. That an Option to Purchase the property at 7 Gerrard Street duly executed by Willi Richard Parow and Hedwig Maria Parow on September 8, 1987 and scheduled for closing on or before January 13, 1988 be completed.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 having a frontage of 19 feet (5.79 metres) by a depth of 94 feet (28.65 metres) and comprising an approximate area of 1,786 square feet (165.91m²) together with structures erected thereon. The purchase price of \$36 500. in accordance with **APPENDIX "N"** herewith attached is to be charged to Account 0408-W75266 pending receipt of O.M.B. approval for funding. Demolition is to take place upon closing.

25. That an Option to Purchase the property at 9 Gerrard Street duly executed by 573667 Ontario Ltd. (Norman Ferguson, President) on September 8, 1987 and scheduled for closing on or before November 25, 1987 be completed.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 having a frontage of 19 feet (5.79 metres) by a depth of 95 feet (28.95 metres) and comprising an approximate area of 1,805 square feet (167.68m²) together with structures erected thereon. The purchase price of \$38 500. in accordance with **APPENDIX "O"** herewith attached is to be charged to Account 0408-W75266 pending receipt of O.M.B. approval for funding. Demolition is to take place upon closing.

26. That an Option to Purchase the property at 10 Gerrard Street duly executed by Tony Dilello on August 27, 1987 and scheduled for closing on or before November 20, 1987 be completed.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 having a frontage of 26.67 feet (8.13 metres) by a depth of 80 feet (24.38 metres) and comprising an approximate area of 2,133.6 square feet (198.2m²) together with structures erected thereon. The purchase price of \$49 500., in accordance with **APPENDIX "P"** herewith attached, is to be charged to Account 0408-W75266 pending receipt of O.M.B. approval for funding. Demolition is to take place upon closing.

27. That an Option to Purchase the property at 12 Gerrard Street duly executed by Maudy Dilello on August 27, 1987 and scheduled to close on or before November 20, 1987 be completed.

* **NOTE:** This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 and has a frontage of 24 feet (7.315 metres) by a depth of 1,920 square feet (178.36m²) with structures erected thereon. The purchase price of \$47 500. in accordance with **APPENDIX "Q"** herewith attached is to be charged to Account 0408-W75266 pending receipt of O.M.B. approval for funding. Demolition is to take place upon closing.

* **NOTE for Section 27 amended to read:**

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 and has a frontage of 24 feet (7.315 metres) by a depth of 80 feet (24.38 metres), and comprising an approximate area of 1,920 square feet (178.36m²) with structures erected thereon. The purchase price of \$47 500. in accordance with **APPENDIX "Q"** herewith attached is to be charged to Account 0408-W75266 pending receipt of O.M.B. approval for funding. Demolition is to take place upon closing.

28. That an Option to Purchase the property at 24 Gerrard Street duly executed by Stella Zaras on August 26, 1987 and scheduled to close on or before November 23, 1987 be completed.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 and has a frontage of 19 feet (5.79 metres) by a depth of 80 feet (24.38 metres) comprising an approximate area of 1 520 square feet (141.20m²) with structures erected thereon. The purchase price of \$36 500. in accordance with **APPENDIX "R"** herewith attached is to be charged to Account 0408-W75266 pending receipt of O.M.B. approval for funding. Demolition is to take place upon closing.

29. That an Option to Purchase the property at 29 Gerrard Street duly executed by 573667 Ontario Ltd. (Norman Ferguson, President) on September 8, 1987 and scheduled for closing on or before November 25, 1987 be completed.

NOTE: This property is required in connection with the acquisition of lands in the Alpha Enclave (West) Plan 1 having a frontage of 19 feet (5.79 metres) by a depth of 100 feet (30.48 metres) and comprising an approximate area of 1 900 square feet (176.51m²) together with structures erected thereon. The purchase price of \$34 500. in accordance with **APPENDIX "S"** herewith attached is to be charged to Account 0408-W75266 pending receipt of O.M.B. approval for funding. Demolition is to take place upon closing.

30. That the Director of Property hold off on the demolition of West Avenue School, located at West Avenue and Barton Street East; for a 90 day period.

NOTE: This 90 day delay period will allow for a recircularization of the area residents with respect to their views on the use of the building and property. It will also give L.A.C.A.C. the opportunity to investigate alternative uses for this original 1885 school building.

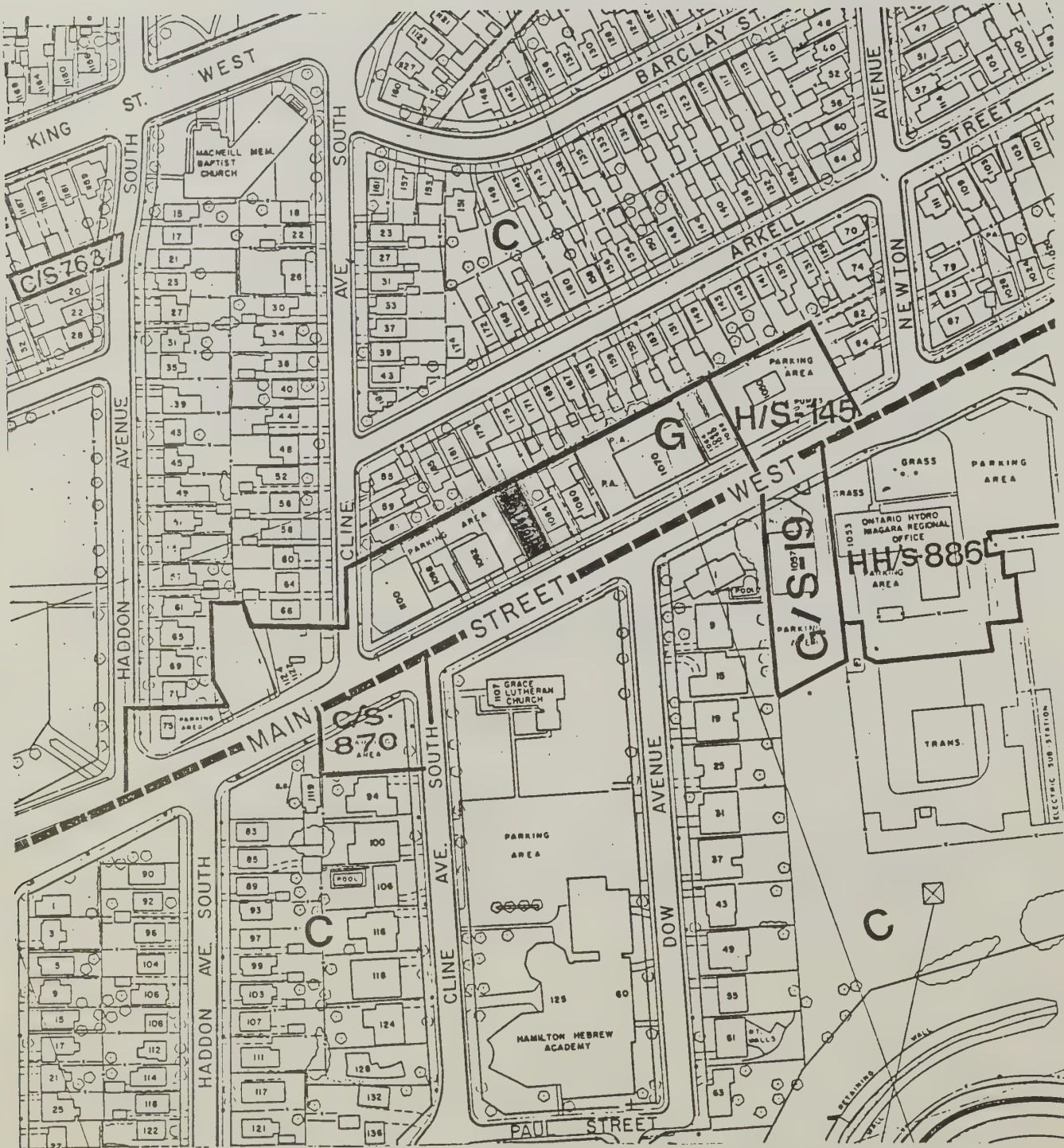
31. That leave be granted to introduce the following Bills:

- Bill D-113 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 27 Rowntree Drive.
- Bill D-114 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at the Rear of Municipal Nos. 2808, 23810, 2812 King Street East.
- Bill D-115 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 965 Stone Church Road East.
- Bill D-116 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal Nos. 80, 84, and 88 Century Street.
- Bill D-117 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 308 East Avenue North.
- Bill D-118 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 187 Rymal Road West.
- Bill D-119 A By-law to Amend Zoning By-law No. 6593 Respecting Land Located at the Rear of Municipal No. 1232 Upper Gage Avenue.
- Bill D-120 A By-law to Amend Zoning By-law No. 6593 Respecting land located at Municipal Nos. 1146 and 1160 Rymal Road East.

Respectfully Submitted,

ALDERMAN J. SMITH, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder, Acting Secretary
1987 September 16th
mjw



LEGEND



SITE OF APPLICATION

Appendix "A" as referred
to in Section 1 of the
17th Report of the
Planning and Development
Committee



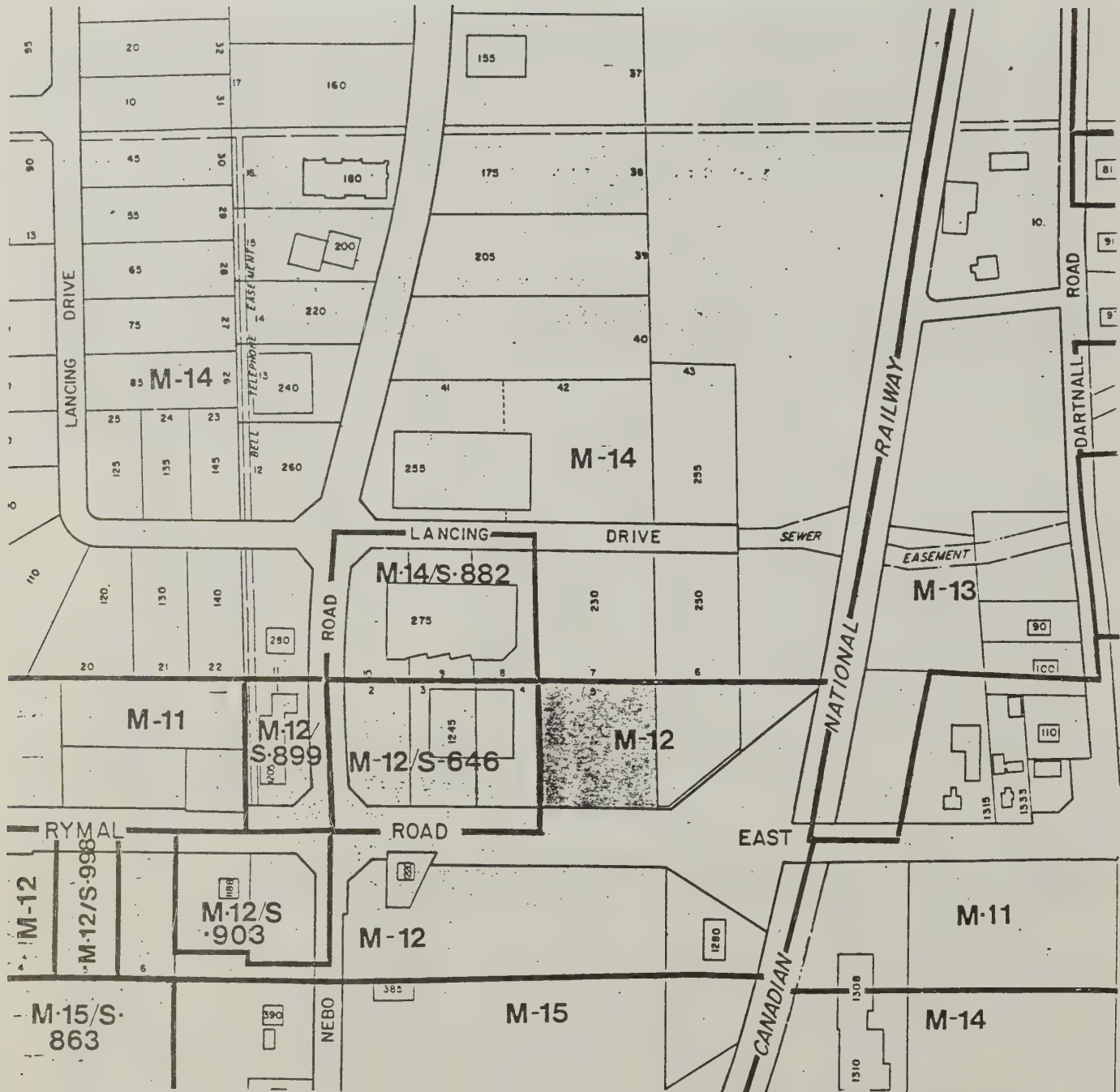
APPENDIX A



SITE OF THE APPLICATION

LOCATION OF PROPOSED OUTSIDE PATIO

ZA-87-64



LEGEND



SITE OF APPLICATION

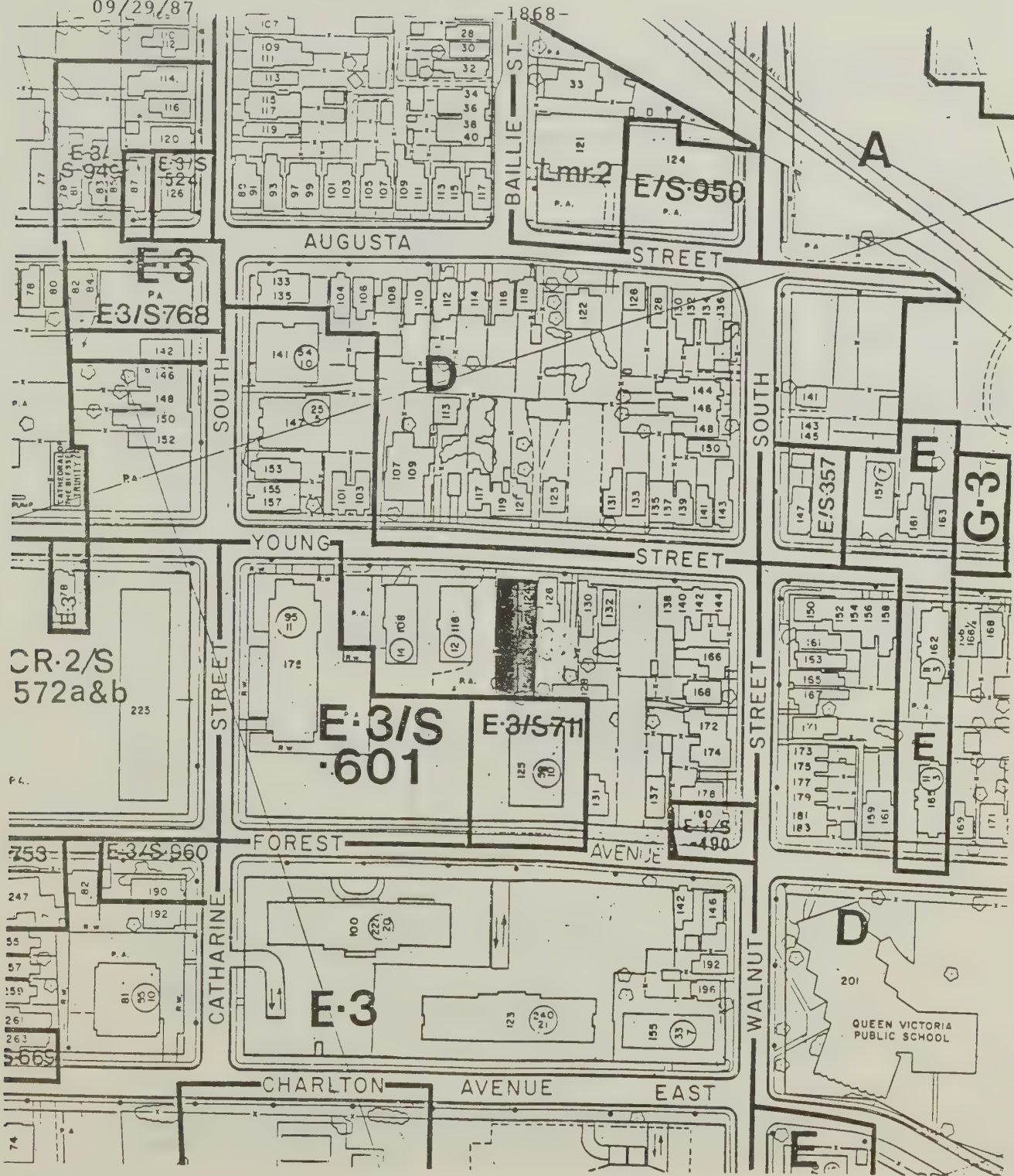
Appendix "C" as referred
to in Section 3 of the
17th Report of the
Planning and Development
Committee



APPENDIX A

09/29/87

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LEGEND

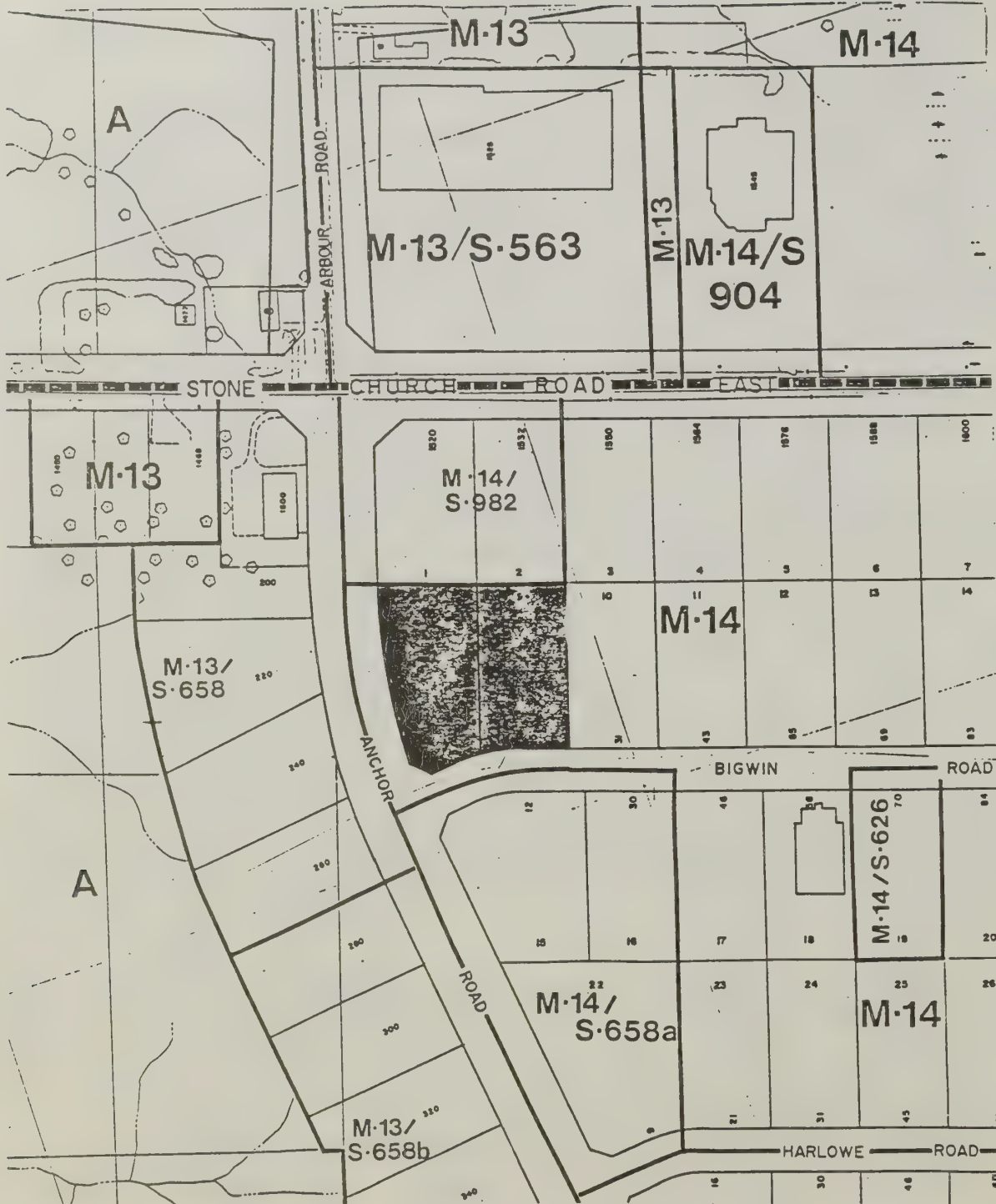


SITE OF APPLICATION

Appendix "D" as referred
to in Section 4 of the
17th Report of the
Planning and Development
Committee



APPENDIX A



LEGEND



SITE OF APPLICATION

Appendix "E" as referred
to in Section 5 of the
17th Report of the
Planning and Development
Committee



APPENDIX A

Hamilton Development Incentives Program.

- a) That a Development Incentives Sub-Committee be established to oversee the development of vacant or underutilized civic lands on an experimental basis;
- b) That the Sub-Committee be composed of members from:
 - i) the Building Department
 - ii) the Community Development Department
 - iii) the Property Department
 - iv) the Planning and Development Department
- c) That the Sub-Committee's mandate be formalized by the Sub-Committee and endorsed by the Planning and Development Committee;
- d) That the development of proposed sites be undertaken by tendering the sites for sale to private developers, subject to conditions established by the Sub-Committee and endorsed by the Planning and Development Committee;
- e) That the two preferred sites identified in the report be forwarded to the Sub-Committee for their consideration in the selection of a site for the pilot project;
- f) That the Development Incentives Sub-Committee initiate the Program by selecting a site for a pilot project and forwarding the site location to the Planning and Development Committee for endorsement;
- g) That the Development Incentives Sub-Committee report on the progress of the Program to the Planning and Development Committee and Council from time to time; and,
- h) That the Development Incentives Sub-Committee evaluate the Program after the completion of a pilot project and report on the program's effectiveness to the Planning and Development Committee and Council.

NOTE: A number of underutilized City-owned properties exist throughout Hamilton. The development of these lands would provide a number of benefits to the City and the community as a whole.

A Development Incentives Sub-Committee consisting of staff members of various City Departments should be established to oversee the development of appropriate civic-owned sites.

Appendix "F" as referred
to in Section 8 of the
17th Report of the
Planning and Development
Committee

09/29/87

MEMORANDUM • CITY OF HAMILTON

TO : Mr. J. Smith, Chairman
Planning and Development
Committee

FROM : Mr. P. Kuppe, Building
Commissioner

SUBJECT : WORKLOAD -- PRIORITIES

YOUR FILE :

OUR FILE :

DATE : Sept. 16, 1987

Further to our report of September 3, 1987 this memorandum addresses the question of the impact of Council not approving the full request for staffing from the Building Department.

The original proposal by the Building Department consisted of 12 staff and related expenses. The Department divided this into 3 separate packages for ease of discussion and review.

Council at their meeting of July 28, 1987 approved package #1 involving 4 staff and this package will be involved primarily in dealing with the increased workload in plan examination including zoning approval for plans, zoning verifications and property reports.

Packages #2 and #3 were not funded. Package #2 (consists of 4 staff -- 1 zoning examiner, 2 building inspectors, 1 stenographer III) would have dealt with retaining walls and grading in new subdivisions.

Our report dated September 3 suggested, as an alternative, cutting services in other areas in order to accommodate these additional demands.

Package #3 would deal with Establishment Licencing (this package involves 2 building inspectors and 2 stenographer III's). Failure to carry out inspections for establishment licences leaves the City open to serious liability. See the attached letters dated June 17 and August 12 from Mr. P. R. A. Hooker.

PK/hmp

Attachment:


PAUL KUPPE, P. ENG.
Building Commissioner

Appendix "G" as referred
to in Section 12 of the
17th Report of the
Planning and Development
Committee

09/29/87

MEMORANDUM • -1872- CITY OF HAMILTON

TO : Mr. P. Kuppe
Building Commissioner

FROM : Philip R. A. Hooker
City Solicitor's Office

SUBJECT : Inspections of Premises
on Applications for City
Licences

YOUR FILE:

CITY OF HAMILTON	
OUR REFERENCE NO.	130-130-10000 (subfile plastic)
DATE	AUG 1987 August 12
FILED BY	DATE
FILED TO	DATE
FILE	ONE

I regret the delay in replying to your letter dated July 6, 1987 entitled "New Licensing Procedure", which reference is not exactly correct, since the procedure to be followed is that laid down in the licensing by-law since 1979 or before.

This is to repeat that, along with the Health and Fire Departments, for instance, the Building Department should be inspecting and reporting on premises which are the subject of applications for City licences, whether or not this function is curtailed or even eliminated in the past on account of budget or workload limitations.

First of all, the licensing by-law requires that this be done, period.

Secondly, it is not consistent to have premises licence application inspections by only some relevant inspecting departments and not yours also.

Thirdly, since the public is entitled to rely on the licence issuance to indicate that the premises is safe and usable, etc. by the public, a mere property file check, without also an on-site inspection by your inspector and subsequent report to the Licensing Department is not adequate, in our opinion.

Fourthly, carrying out an inspection and reporting back - as required by the licensing by-law - before the licence is issued may prevent problems arising that are discovered after the licence is issued and then require a disputed "show cause" hearing before the Licensing Committee. As you know, a business licence being for some persons a requirement for earning their livelihood, the courts will not uphold a licence revocation, if same is appealed to the courts by a former licensee, unless there were strong, justifiable legal grounds for such revocation.

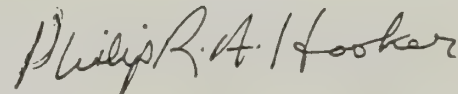
09/29/87

- 2 -

Mr. P. Kuppe

1987 August 12

These above points are examples of the need for on-site premises inspections by your Building Department in regard to licence applications for buildings and premises.



Philip R. A. Hooker
for K. A. Rouff
City Solicitor

PRH:sr

c.c. Alderman P. Valeriano
Chairman, Licensing Committee

c.c. Mr. S. J. Dembe
Manager of Licensing

c.c. Mr. E. C. Matthews
City Treasurer

09/29/87

-1874-

MEMORANDUM • CITY OF HAMILTON

TO : Mr. S. J. Dembe,
Manager of Licensing. YOUR FILE:

FROM : Philip R. A. Hooker,
City Solicitor's Office. OUR FILE : 130-37.10

SUBJECT : 311 Strathearne Avenue DATE : June 17, 1987
General Procedure regarding
applications for City licenses
for various premises

Attached please find copy of April 22, 1987 letter and enclosures from Alderman G. Copps to a Mr. Michael J. Schuster, which documents we received on June 11, 1987.

In her letter, among other things, Alderman Copps pointed out that the Building Department reported that it had not made an on-site ("field") inspection of the premises which are the subject of the licence application and that you advised her that the licence is issued prior to, or conditional on, the necessary corrections being made (to comply with outstanding fire safety, health or other requirements and regulations).

There is no such thing as a "conditional" licence: a person either has a licence or he does not.

Since a City-issued licence is virtually a certificate of official, City approval of both the licensee and the premises in question, the procedure you described to Alderman Copps must be changed immediately, as it had the very real potential of exposing the City to lawsuits for negligence and high money damages.

In our brief conversation of June 11, 1987, you attributed the origin of the practice you are apparently following to a former, long-retired member of this department. We do not believe that this is so and require you to produce documentation of such alleged former advice. In any event, it is not in accordance with the recent information provided by this department to the Second Level, Lodging House Subcommittee.

The practice you must follow is this:

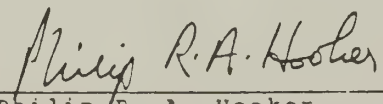
1. Receive completed licence application and required licence fee;

09/29/87

2. Circulate clear copies of the application immediately to all appropriate inspecting departments, including, as the case may be, Building, Fire Prevention, Regional Health Services, Traffic, Regional Police, Regional Engineer, etc., requiring their on-site inspection reports back to you without delay, i.e. within 1-2 weeks;
3. Receive and peruse reports. If any requirements are outstanding, notify the licence applicant in writing, with copy to the department reporting the deficiency or infraction, that the specific requirements are outstanding and that no licence will be approved nor issued by the City until the outstanding requirements are satisfied in full. Also, in the letter, warn the applicant, in bold print, that the premises may NOT be operated until the licence is actually issued. A copy of your letter to the licence applicant should be sent to the Licensing Committee for its information. Please see the enclosed extracts of the Licensing By-law, 79-323, as amended.

It is most important that your letter to the licence applicant contain no suggestion or indication that the licence will be issued or may be issued. Simply advise the applicant, in writing, that the application cannot be further processed until all outstanding requirements are fully met.

We repeat that, on account of the very serious liability exposure of the City arising from what we understand to be your existing practice in regard to premises for which City licences are sought, you must immediately cease, in any respect, issuing or approving licences "on condition" or subject to future compliance by the applicant, as that would leave the City in an untenable position in a lawsuit for negligence and damages.


Philip R. A. Hooker,
for K. A. Rouff,
City Solicitor.

PRAH:mk

c.c. Alderman G. Copps
c.c. Alderman P. Valeriano, Chairman,
City of Hamilton Licensing Committee.
c.c. Alderman S. Collins
c.c. Alderman T. Murray
c.c. Mr. J. Child
c.c. Mr. J. R. Jones

F O R A C T I O N

FROM: Mr. Paul Kuppe, Building Commissioner DATE: September 3rd, 1987

TO: Planning and Development Committee Refer to File No. 87.2.4.2.1

Attention of: Mr. B.D. Allick

SUBJECT:

Prioritization of Workload

RECOMMENDATIONS:

1. That permits issued for replacement hot water heaters and furnaces, etc. be inspected on a random basis. To start with, we will inspect 10% of the permits issued.
2. That the response time to complaints be extended.
3. That no response be made to complaints regarding long grass and weeds.
4. That the practice of inspecting properties on either side of a complaint property be suspended.

BACKGROUND:

As you will recall, the Committee at their meeting of August 18th, dealt with the attached Resolution which recommended that the Building Department not control retaining walls in subdivisions. The Committee requested that the Building Department review its priorities with the effect of controlling retaining walls and cutting services elsewhere..

As advised in our report of June 18th, 1987 to the Planning and Development Committee, a Building Inspector's time is dedicated to new construction which involves the mandatory inspections of new construction required by Provincial statute. Service to the construction industry is suffering. The response time to complaints, property standards enforcement and zoning enforcement must take a secondary position to our responsibilities regarding new construction.

The present workload together with the additional responsibilities incurred by the introduction of The Rental Housing Protection Act and An Act to Provide for the Regulation of Rents Charged for Rental Units in Residential Complexes, creates a situation where the Department is no longer able to maintain inspection service at levels previously enjoyed.

Further, the property owners' response to Provincial funding for the renovation of buildings has further increased demands on inspection time and requires overtime to meet the demand.

The additional responsibilities directed by this Committee contained in its 15th Report, Item 16, which was passed by City Council at its meeting of July 28th, 1987 could be accommodated with the approval of the above recommendations. (Item 16 attached)

Cont'd.....2/

It should be recognized that if additional inspections are required for establishment licence applications due to concerns raised by the City Solicitor and the Licence Administrator or any other activity as requested, further reductions in service may be suggested.

IMPACT OF RECOMMENDATIONS

1. Inspections on a Random Basis

First it should be noted that with the present workloads, this Department does not have the resources to actively pursue these type of projects (i.e. furnace and water heater replacements), which are proceeding without permits.

The reduction of inspections to 10% of permits issued, will have an adverse impact, but since this type of work is somewhat routine, the impact will be less here than in other areas of construction. However there is a possibility that there may be a profusion of incorrect installations of hot water heaters and furnaces.

2. Response Time to Complaints be Extended

Complaints of a non-serious nature will receive low priority and will result in delays of up to 6 weeks. A delay in response time will result in a delay in the enforcement of by-laws and the resolution of the complaints submitted, and consequently the citizens of Hamilton will be voicing their dissatisfaction with the service to the elected officials.

3. Complaints Regarding Long Grass and Weeds

Where noxious weeds are of prime concern, complaints will be forwarded to the Department of Public Works for their action. This action becomes effective when the Weed Control By-Law comes in force. However, weeds of a non-noxious nature, which cannot be dealt with under the Weed Control By-Law may deteriorate the aesthetic value of the streetscape.

4. Inspections of Properties on Either Side

Vindictive complaints may be received, generated by neighbours. The wishes of the Task Force on Derelict Buildings through the Planning and Development Committee approved by City Council on September 22nd, 1983, that properties on either side of the property undergoing property standards enforcement should be inspected on the exterior would be frustrated.

Attachment

Manpower has been taken from Plan Examination to relieve the pressure which has led to delays in the issuance of building permits as per Item 3 below.

The Department has also established a policy whereby we only deal with telephone inquiries regarding zoning between the hours of 11:00 a.m. to 12:00 noon and 4:00 p.m. to 5:00 p.m. This has been done in order to make more efficient use of the Zoning Examiner's time. This is a decrease in service to the public which has in itself generated a number of complaints.

2. Property Reports

There is also a backlog in the issuance of property reports. As of the end of May, the Department has issued \$106,000 worth of property reports whereas the Department had projected total revenues of \$115,000.

3. Building Permits

We are also experiencing an unacceptable backlog in the issuance of building permits. The above problems have taken place due to the tremendous increase in activity generated in the private sector. The Department, in response to the demand, has placed Zoning Examiners, House Plan Examiners, Building Inspectors, and other related clerical staff on overtime to accommodate the workloads. The delays, however, have continued to grow.

Within the Department, there are problems in other areas. A backlog is developing in the filing which is starting to have an adverse impact on the efficiency of the Department. It will effect issuance of building permits, property reports, and zoning verifications.

To accommodate the above increased workloads, four additional Stenographer III's will be required as well as four Zoning Examiners and Code Correlators. Changes in responsibilities have been, and will be necessary, to allow the continued efficient operation of the Department. For these reasons, we are recommending that one Building Engineer position be reclassified to Chief Building Engineer. Also, one Stenographer II position should be reclassified to a Stenographer I position.

The tremendous increase in construction activity has meant that the Building Inspector's time has to be dedicated to new construction. The Department has been making every effort to carry out required inspections, however, the service is suffering. Response time to complaints regarding Property Standards or Zoning have had to take a backseat to our responsibilities respecting new construction.

In order to accommodate the increased activity in construction and to provide the service in other areas which is expected of us, we are recommending that four additional Building Inspectors be hired.

Continued....3

BudgetInspections

Wages and Benefits	\$ 16,000.00
Vehicles (Purchase Price)	8,000.00
Car Rental (\$87.73/week)	- 2,280.98
Safety Equipment	200.00

TOTAL PER INSPECTOR	<u>\$ 26,480.98</u>
Total Cost for Staff (four Inspectors)	105,923.92
Accommodation (for four Inspectors) i.e. furnishings, etc.	8,000.00
TOTAL COST OF #1 PACKAGE	<u>\$113,923.92</u>

BudgetZoning, Property Reports, Plan Examination

Based on the requirements as discussed in the proposals, the total cost to provide this package for six months is as follows:

Stenographer III's (6 months)	4 @ \$11,438	\$ 45,752
Zoning & Code Correlators (6 months)	4 @ \$19,495	77,980
Chief Engineer - 10% increase in salary (6 months)	-	2,350
Stenographer II to Stenographer I (Reclassification)	-	<u>790</u>
	TOTAL SALARIES	<u>\$126,872</u>
Other Costs - 8 work stations @ \$2,000 each		\$ 16,000
- 2 typewriters @ \$1,000 each		2,000
- 1 word processing printer/ work station @ \$2,000 per month		<u>12,000</u>
TOTAL COST OF #2 PACKAGE		<u>\$156,872</u>
GRAND TOTAL OF BOTH PACKAGES		<u>\$270,795</u>

Accommodation for the additional staff can be provided with the anticipated takeover of the area now occupied by the Community Development Department.

Revenue

Due to the increased activity of the Department, as outlined above, we are increasing the estimate for Revenue by \$300,000.

F O R A C T I O N

Paul Kuppa, P.Eng.
FROM Building Commissioner DATE June 18, 1987
TO Planning & Development Refer to File No. _____
Attention Of _____
Your File No. _____

SUBJECT

Staffing in the Building Department

RECOMMENDATION

That the present staff level of the Building Department be increased by:

Four Building Inspectors
Four Zoning Examiners and Code Correlators
Four Stenographer III's

and further

One Steno II position be reclassified to a Steno I
One Building Engineer be reclassified to a Chief
Building Engineer.

The budget of the Building Department be increased by \$284,000.
effective immediately.

The Finance Committee should be requested to recommend the method
of financing.

The Building Department's 1987 revenue estimates are hereby
increased by \$300,000.

BACKGROUND1. Zoning Verifications

The Department is experiencing a backlog in the issuance of zoning
verifications. As of the end of May, the Department had already
issued \$74,000 worth of zoning verifications, whereas we had
anticipated total revenues of \$83,000.

Continued...2

16. That the policy established in Item 20 of the 17-84 report of the Transport and Environment Committee be rescinded and the following substituted:
- (a) The City of Hamilton control retaining walls over 1m in height in residential subdivisions during construction of the houses in a plan of subdivision.
 - (b) The Building Department shall be responsible for the approval of the walls.
 - (c) The walls exceeding 1m in height and not subject to the Building Code shall be designed in accordance with the Ontario Building Code.
 - (d) The City Solicitor be directed to make the necessary changes to the subdivision agreement.

NOTE: The effect is that all walls over 1m in height will be controlled for initial construction by the Building Department as opposed to the Department of Engineering and the walls will be designed in accordance with the requirements of the Ontario Building Code.

Ontario Home Renewal Programme

1. R. Myers
147 Garside Avenue North
2. C. Wing
102 Ewen Road
3. P. Walters
162 West 33rd Street
4. P. Zimmerman
361 East 23rd Street
5. A. Flis
161 Charlotte Street
6. R. Reilly
221 Grace Avenue
7. L. Robinson
106 Edith Avenue
8. J. Alexander
241 Tragina Ave. North
9. M. Bertram
12 David Avenue
10. H. Sutherland
50 Kensington South
11. M. Woods
147 Tolton Ave.
12. L. Misener
631 Queensdale Ave. East
13. B. Suttie
67 Barons Avenue North

Appendix "H" as referred
to in Section 14 of the
17th Report of the
Planning and Development
Committee

Hamilton Rehabilitation Programme

1. M. Pielich
204 Grosvenor Avenue North
2. A. Samotulka
23 Province St. North
3. R. Martin
401 Dundurn Street South
4. N. Zubko
91 Princess Street
5. B. Baran
211 Aberdeen Avenue
6. M. Marcoux
130 Juanita Drive
7. A. Bishop
1751 Barton Street East
8. G. Henderson
117 East 9th Street
9. V. Vaccarello
166 Magnolia Drive
10. M. House
69 Herkimer St., #203
11. J. Gillis
25 East 25th Street

Appendix "I" as referred
to in Section 14 of the
17th Report of the
Planning and Development
Committee

- 1(a) -

6.1. The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:

- (a) to pay municipal, realty and business taxes;
- (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
- (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
- (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
- (e) to pay building permit application fee;
- (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
- (g) to pay for the connection of all utilities to the premises;
- (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
- (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
- (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

1. That the transferee shall commence construction of a building, having a minimum building area of 12,000 square feet, upon the hereinbefore described land by not later than June 2nd, 1988

Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the transferee shall complete construction of the said building by not later than June 2nd, 1989

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

Continued.....1(b)

(For Land Titles, May, 1983)

Appendix "J" as referred
to in Section 20 of the
17th Report of the
Planning and Development
Committee

- 1(b) -

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges); penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

SCHEDULE "A"

403 Sherman Avenue North
Hamilton, Ontario

Owner's Interest
DONALD ARNOTT

ELEMENTS OF COMPENSATION:

Market Value of Realty \$40,000.00

Legal Fees, Re: 403 Sherman Ave. N.
Mr. Fred Lee 500.00

TOTAL COMPENSATION \$40,500.00

Appurtenances and fixtures for which compensation is being paid as listed below and which must remain on the premises when vacant possession is given. It is understood and agreed that all fixtures, fittings and chattels not itemized herein which are left behind on the premises at the time vacant possession is delivered, shall be deemed to be abandoned and The Corporation of the City of Hamilton may dispose of same.

Floor Coverings:

Linoleum, tiles, carpeting, any covering normally held down with tacks or glue, etc.

Electrical Apparatus:

Built in fans, light fixtures, sockets, bulbs, fuses, wiring, switches, plugs, switch plates, fuse boxes, electrical equipment which is built in, appliances belonging to the City, antennae, air conditioners, door chimes, door bells, etc.

Plumbing:

Toilets, sinks, piping, drains, taps, handles, washtubs, faucets, showers, cistern, and well pumps, and motors, sump pumps and motors, etc.

Miscellaneous:

Awnings, doors, door knobs, locks, screens, storm windows, fences, gates, enclosures, sheds, outbuildings, patio stones, fireplaces, outdoor lights, flame hoods and exhaust fans, furnaces, ducts, humidifiers, thermostats, steps, cupboards, closets, wall mirrors, door mirrors, permanent shelving, mailboxes, shrubs, trees, plants, sod, flowers, gravel, railings, trellises, etc.

Appendix "K" as referred
to in Section 21 of the
17th Report of the
Planning and Development
Committee

It is understood and agreed that the amount of \$40,500.00 is full and final payment of all compensation, interest and cost whatsoever which Donald Arnott might be entitled to as a result of the acquisition by the Corporation of the City of Hamilton of the land and buildings known as 403 Sherman Avenue North, Hamilton, Ontario.

DATED at Hamilton this 2 day of Sept. 1987.

WITNESS:

[Signature]
[Signature]

[Signature]
DONALD ARNOTT

[Signature]
Audrey N. Arnott

Taxes, including Owner's business tax, local improvements, water and sewer rates, etc., to be apportioned and allowed to the date of completion, and no adjustment shall be made for fuel oil.

The Vendor agrees to cancel and terminate all insurance pertaining to the said premises, no later than the actual date and time of closing and prior to the grant, conveyance or transfer of ownership and title to the purchaser, said cancellation and transfer shall be at the full cost and expense of the Vendor.

Pending completion of the sale arising out of the acceptance of this Option the Owner will hold all fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the City may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Option whether accepted or not and have all monies theretofore paid (including the sum paid for the granting of this Option) returned without interest.

The Owner covenants and agrees with the City to do nothing to encumber the said property after the execution of this Option by the Owner prior to the completion or other termination thereof, and agrees that the City may, in the presence of the owner or his representative inspect the property on the said date of completion, prior to the closing of the transaction.

It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under The Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.

Any tender or documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.

This Option is to be read with all changes of gender or number required by its context.

Time shall be of the essence of this Option and of the contract arising from the acceptance thereof which shall enure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

DATED at Hamilton this 2 day of September 1987.

SIGNED, SEALED AND DELIVERED
in the presence of

J. Rehder

) *Donald Arnott* (Seal)
) DONALD ARNOTT
) _____ (Seal)
) _____ (Seal)
) _____ (Seal)

The Undersigned Spouse of the Vendor hereby consents to the disposition evidenced herein pursuant to the provisions of The Family Law Reform Act, 1978, S.O. 1978, c.2, as the same may be amended from time to time.

In consideration of the sum of One Dollar (\$1.00), (the receipt of which from the City is hereby acknowledged), the undersigned spouse of the Vendor hereby agrees with the City that he/she will execute all necessary or incidental documents to give full force and effect to the sale evidenced herein.

J. Rehder *Audrey M. Arnott* Year Month Day
Witness Spouse (Seal) Date 27 Sept. 87

SCHEDULE "A"

3 Gerrard Street
Hamilton, Ontario

Owner Interest
Willi Richard Parow
Hedwig Maria Parow

ELEMENTS OF COMPENSATION:

Market Value of Realty	\$36,000.00
Legal Fees, 3 Gerrard Street - Mr. T. Whelan	500.00
TOTAL COMPENSATION	\$36,500.00

Appurtenances and fixtures for which compensation is being paid as listed below and which must remain on the premises when vacant possession is given. It is understood and agreed that all fixtures, fittings and chattels not itemized herein which are left behind on the premises at the time vacant possession is delivered, shall be deemed to be abandoned and The Corporation of the City of Hamilton may dispose of same.

Floor Coverings:

Linoleum, tiles, carpeting, any covering normally held down with tacks or glue, etc.

Electrical Apparatus:

Built in fans, light fixtures, sockets, bulbs, fuses, wiring, switches, plugs, switch plates, fuse boxes, electrical equipment which is built in, appliances belonging to the City, antennae, air conditioners, door chimes, door bells, etc.

Plumbing:

Toilets, sinks, piping, drains, taps, handles, washtubs, faucets, showers, cistern, and well pumps, and motors, sump pumps and motors, etc.

Miscellaneous:

Awnings, doors, door knobs, locks, screens, storm windows, fences, gates, enclosures, sheds, outbuildings, patio stones, fireplaces, outdoor lights, flame hoods and exhaust fans, furnaces, ducts, humidifiers, thermostats, steps, cupboards, closets, wall mirrors, door mirrors, permanent shelving, mailboxes, shrubs, trees, plants, sod, flowers, gravel, railings, trellises, etc.

Appendix "L" as referred to in Section 22 of the 17th Report of the Planning and Development Committee

It is understood and agreed that the amount of \$36,500.00 is full and final payment of all compensation, interest and cost whatsoever which Willi Richard Parow and Hedwig Maria Parow, might be entitled to as a result of the acquisition by the Corporation of the City of Hamilton of the land and buildings known as 3 Gerrard Street, Hamilton, Ontario

DATED at HAMILTON this 29th day of September 1987

WITNESS:

Jane L. Lauer

Willi R. Parow
WILLI RICHARD PAROW

Jane L. Lauer

Hedwig Maria Parow
HEDWIG MARIA PAROW

Taxes, including Owner's business tax, local improvements, water and sewer rates, etc., to be apportioned and allowed to the date of completion, and no adjustment shall be made for fuel oil.

The Vendor agrees to cancel and terminate all insurance pertaining to the said premises, no later than the actual date and time of closing and prior to the grant, conveyance or transfer of ownership and title to the purchaser, said cancellation and transfer shall be at the full cost and expense of the Vendor.

Pending completion of the sale arising out of the acceptance of this Option the Owner will hold all fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the City may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Option whether accepted or not and have all monies theretofore paid (including the sum paid for the granting of this Option) returned without interest.

The Owner covenants and agrees with the City to do nothing to encumber the said property after the execution of this Option by the Owner prior to the completion or other termination thereof, and agrees that the City may, in the presence of the owner or his representative inspect the property on the said date of completion, prior to the closing of the transaction.

It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under The Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.

Any tender or documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.

This Option is to be read with all changes of gender or number required by its context.

Time shall be of the essence of this Option and of the contract arising from the acceptance thereof which shall enure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

DATED at HAMILTON this 29th day of September 1987

SIGNED, SEALED AND DELIVERED
in the presence of

Steve Lush

) Will R. Parow (Seal)
) WILLI RICHARD PAROW
) Hedwig Maria Parow (Seal)
) HEDWIG MARIA PAROW
) _____ (Seal)

The Undersigned Spouse of the Vendor hereby consents to the disposition evidenced herein pursuant to the provisions of The Family Law Reform Act, 1978, S.O. 1978, c.2, as the same may be amended from time to time.

In consideration of the sum of One Dollar (\$1.00), (the receipt of which from the City is hereby acknowledged), the undersigned spouse of the Vendor hereby agrees with the City that he/she will execute all necessary or incidental documents to give full force and effect to the sale evidenced herein.

Witness _____ Approves _____ (Seal) Date _____ Year Month Day

SCHEDULE "A"

5 Gerrard Street
Hamilton, Ontario

Owner's Interest
Ingeborg Carr

ELEMENTS OF COMPENSATION:

Market Value of Realty	\$36,000.00
Legal Fees, 5 Gerrard Street - Mr. T. Whelan	500.00
TOTAL COMPENSATION	\$36,500.00

Appurtenances and fixtures for which compensation is being paid as listed below and which must remain on the premises when vacant possession is given. It is understood and agreed that all fixtures, fittings and chattels not itemized herein which are left behind on the premises at the time vacant possession is delivered, shall be deemed to be abandoned and The Corporation of the City of Hamilton may dispose of same.

Floor Coverings:

Linoleum, tiles, carpeting, any covering normally held down with tacks or glue, etc.

Electrical Apparatus:

Built in fans, light fixtures, sockets, bulbs, fuses, wiring, switches, plugs, switch plates, fuse boxes, electrical equipment which is built in, appliances belonging to the City, antennae, air conditioners, door chimes, door bells, etc.

Plumbing:

Toilets, sinks, piping, drains, taps, handles, washtubs, faucets, showers, cistern, and well pumps, and motors, sump pumps and motors, etc.

Miscellaneous:

Awnings, doors, door knobs, locks, screens, storm windows, fences, gates, enclosures, sheds, outbuildings, patio stones, fireplaces, outdoor lights, flame hoods and exhaust fans, furnaces, ducts, humidifiers, thermostats, steps, cupboards, closets, wall mirrors, door mirrors, permanent shelving, mailboxes, shrubs, trees, plants, sod, flowers, gravel, railings, trellises, etc.

Appendix "M" as referred to in Section 23 of the 17th Report of the Planning and Development Committee

It is understood and agreed that the amount of \$36,500.00 is full and final payment of all compensation, interest and cost whatsoever which Ingeborg Carr, might be entitled to as a result of the acquisition by the Corporation of the City of Hamilton of the land and buildings known as 5 Gerrard Street, Hamilton, Ontario

DATED at HAMILTON this 8th day of September 19 87

WITNESS:

Deane Lumsden

Ingeborg Carr
INGEBORG CARR

Taxes, including Owner's business tax, local improvements, water and sewer rates, etc., to be apportioned and allowed to the date of completion, and no adjustment shall be made for fuel oil.

The Vendor agrees to cancel and terminate all insurance pertaining to the said premises, no later than the actual date and time of closing and prior to the grant, conveyance or transfer of ownership and title to the purchaser, said cancellation and transfer shall be at the full cost and expense of the Vendor.

Pending completion of the sale arising out of the acceptance of this Option the Owner will hold all fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the City may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Option whether accepted or not and have all monies theretofore paid (including the sum paid for the granting of this Option) returned without interest.

The Owner covenants and agrees with the City to do nothing to encumber the said property after the execution of this Option by the Owner prior to the completion or other termination thereof, and agrees that the City may, in the presence of the owner or his representative inspect the property on the said date of completion, prior to the closing of the transaction.

It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under The Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.

Any tender or documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.

This Option is to be read with all changes of gender or number required by its context.

Time shall be of the essence of this Option and of the contract arising from the acceptance thereof which shall enure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

DATED at *Hamilton* this *24th* day of *September* 19*87*.

SIGNED, SEALED AND DELIVERED
in the presence of

J. L. Lush

) *Ingeborg Carr* (Seal)
) *INGEBORG CARR*
) _____ (Seal)
) _____ (Seal)
) _____ (Seal)

The Undersigned Spouse of the Vendor hereby consents to the disposition evidenced herein pursuant to the provisions of The Family Law Reform Act, 1978, S.O. 1978, c.2, as the same may be amended from time to time.

In consideration of the sum of One Dollar (\$1.00), (the receipt of which from the City is hereby acknowledged), the undersigned spouse of the Vendor hereby agrees with the City that he/she will execute all necessary or incidental documents to give full force and effect to the sale evidenced herein.

Witness _____ Spouse _____ (Seal) Date _____ Year Month Day

SCHEDULE "A"

7 Gerrard Street
Hamilton, Ontario

Owners' Interest
Willi Richard Parow
Hedwig Maria Parow

ELEMENTS OF COMPENSATION:

Market Value of Realty	\$36,000.00
Legal Fees, 7 Gerrard Street - Mr. T. Whelan	500.00
TOTAL COMPENSATION	\$36,500.00

Appurtenances and fixtures for which compensation is being paid as listed below and which must remain on the premises when vacant possession is given. It is understood and agreed that all fixtures, fittings and chattels not itemized herein which are left behind on the premises at the time vacant possession is delivered, shall be deemed to be abandoned and The Corporation of the City of Hamilton may dispose of same.

Floor Coverings:

Linoleum, tiles, carpeting, any covering normally held down with tacks or glue, etc.

Electrical Apparatus:

Built in fans, light fixtures, sockets, bulbs, fuses, wiring, switches, plugs, switch plates, fuse boxes, electrical equipment which is built in, appliances belonging to the City, antennae, air conditioners, door chimes, door bells, etc.

Plumbing:

Toilets, sinks, piping, drains, taps, handles, washtubs, faucets, showers, cistern, and well pumps, and motors, sump pumps and motors, etc.

Miscellaneous:

Awnings, doors, door knobs, locks, screens, storm windows, fences, gates, enclosures, sheds, outbuildings, patio stones, fireplaces, outdoor lights, flame hoods and exhaust fans, furnaces, ducts, humidifiers, thermostats, steps, cupboards, closets, wall mirrors, door mirrors, permanent shelving, mailboxes, shrubs, trees, plants, sod, flowers, gravel, railings, trellises, etc.

Appendix "N" as referred to in Section 24 of the 17th Report of the Planning and Development Committee

It is understood and agreed that the amount of \$36,500.00 is full and final payment of all compensation, interest and cost whatsoever which Willi Richard Parow and Hedwig Maria Parow, might be entitled to as a result of the acquisition by the Corporation of the City of Hamilton of the land and buildings known as 7 Gerrard Street, Hamilton, Ontario

DATED at HAMILTON this 29th day of September 19 87

WITNESS:

Irene Ladoski

Willi R. Parow
WILLI RICHARD PAROW

Irene Ladoski

Hedwig Maria Parow
HEDWIG MARIA PAROW

Taxes, including Owner's business tax, local improvements, water and sewer rates, etc., to be apportioned and allowed to the date of completion, and no adjustment shall be made for fuel oil.

The Vendor agrees to cancel and terminate all insurance pertaining to the said premises, no later than the actual date and time of closing and prior to the grant, conveyance or transfer of ownership and title to the purchaser, said cancellation and transfer shall be at the full cost and expense of the Vendor.

Pending completion of the sale arising out of the acceptance of this Option the Owner will hold all fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the City may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Option whether accepted or not and have all monies theretofore paid (including the sum paid for the granting of this Option) returned without interest.

The Owner covenants and agrees with the City to do nothing to encumber the said property after the execution of this Option by the Owner prior to the completion or other termination thereof, and agrees that the City may, in the presence of the owner or his representative inspect the property on the said date of completion, prior to the closing of the transaction.

It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under The Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.

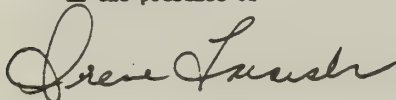
Any tender or documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.

This Option is to be read with all changes of gender or number required by its context.

Time shall be of the essence of this Option and of the contract arising from the acceptance thereof which shall enure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

DATED at HAMILTON this 29th day of September 1987.

SIGNED, SEALED AND DELIVERED
in the presence of



) Willi R. Parow (Seal)
) WILLI RICHARD PAROW
) Hedwig Maria Parow (Seal)
) HEDWIG MARIA PAROW
) Hedwig Maria Parow (Seal)

The Undersigned Spouse of the Vendor hereby consents to the disposition evidenced herein pursuant to the provisions of The Family Law Reform Act, 1978, S.O. 1978, c.2, as the same may be amended from time to time.

In consideration of the sum of One Dollar (\$1.00), (the receipt of which from the City is hereby acknowledged), the undersigned spouse of the Vendor hereby agrees with the City that he/she will execute all necessary or incidental documents to give full force and effect to the sale evidenced herein.

Witness _____ Date _____
(Seal)

SCHEDULE "A"

9 Gerrard Street
Hamilton, Ontario

Owner's Interest
573667 ONTARIO LTD.

ELEMENTS OF COMPENSATION:

Market Value of Realty	\$38,000.00
Legal Fees, 9 Gerrard Street - Mr. E. Hunt	500.00
TOTAL COMPENSATION	\$38,500.00

Appurtenances and fixtures for which compensation is being paid as listed below and which must remain on the premises when vacant possession is given. It is understood and agreed that all fixtures, fittings and chattels not itemized herein which are left behind on the premises at the time vacant possession is delivered, shall be deemed to be abandoned and The Corporation of the City of Hamilton may dispose of same.

Floor Coverings:

Linoleum, tiles, carpeting, any covering normally held down with tacks or glue, etc.

Electrical Apparatus:

Built in fans, light fixtures, sockets, bulbs, fuses, wiring, switches, plugs, switch plates, fuse boxes, electrical equipment which is built in, appliances belonging to the City, antennae, air conditioners, door chimes, door bells, etc.

Plumbing:

Toilets, sinks, piping, drains, taps, handles, washtubs, faucets, showers, cistern, and well pumps, and motors, sump pumps and motors, etc.

Miscellaneous:

Awnings, doors, door knobs, locks, screens, storm windows, fences, gates, enclosures, sheds, outbuildings, patio stones, fireplaces, outdoor lights, flame hoods and exhaust fans, furnaces, ducts, humidifiers, thermostats, steps, cupboards, closets, wall mirrors, door mirrors, permanent shelving, mailboxes, shrubs, trees, plants, sod, flowers, gravel, railings, trellises, etc.

Appendix "O" as referred to in Section 25 of the 17th Report of the Planning and Development Committee

It is understood and agreed that the amount of \$38,500.00 is full and final payment of all compensation, interest and cost whatsoever which 573667 Ontario Ltd., might be entitled to as a result of the acquisition by the Corporation of the City of Hamilton of the land and buildings known as 9 Gerrard Street, Hamilton, Ontario

SIGNED at Hamilton this 8th day of September 19 87

WITNESS:

573667 ONTARIO LTD.

[Signature]

[Signature]
PRESIDENT

Taxes, including Owner's business tax, local improvements, water and sewer rates, etc., to be apportioned and allowed to the date of completion, and no adjustment shall be made for fuel oil.

The Vendor agrees to cancel and terminate all insurance pertaining to the said premises, no later than the actual date and time of closing and prior to the grant, conveyance or transfer of ownership and title to the purchaser, said cancellation and transfer shall be at the full cost and expense of the Vendor.

Pending completion of the sale arising out of the acceptance of this Option the Owner will hold all fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the City may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Option whether accepted or not and have all monies theretofore paid (including the sum paid for the granting of this Option) returned without interest.

The Owner covenants and agrees with the City to do nothing to encumber the said property after the execution of this Option by the Owner prior to the completion or other termination thereof, and agrees that the City may, in the presence of the owner or his representative inspect the property on the said date of completion, prior to the closing of the transaction.

It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under The Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.

Any tender or documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.

This Option is to be read with all changes of gender or number required by its context.

Time shall be of the essence of this Option and of the contract arising from the acceptance thereof which shall enure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

DATED at HAMILTON this 24 day of September 19 87

SIGNED, SEALED AND DELIVERED
in the presence of

[Signature]

373667-ONTARIO LTD.
(Seal)
PRESIDENT.
(Seal)
(Seal)

The Undersigned Spouse of the Vendor hereby consents to the disposition evidenced herein pursuant to the provisions of The Family Law Reform Act, 1978, S.O. 1978, c.2, as the same may be amended from time to time.

In consideration of the sum of One Dollar (\$1.00), (the receipt of which from the City is hereby acknowledged), the undersigned spouse of the Vendor hereby agrees with the City that he/she will execute all necessary or incidental documents to give full force and effect to the sale evidenced herein.

Witness _____ Spouse _____ (Seal) _____ Date _____ Year Month Day

SCHEDULE "A"

10 Gerrard Street
Hamilton, Ontario

Owner's Interest
Tony Dilello

ELEMENTS OF COMPENSATION:

Market Value of Realty	\$49,000.00
Legal Fees, Re: 10 Gerrard - Mr. G. Petrini	500.00
TOTAL COMPENSATION	\$49,500.00

Appurtenances and fixtures for which compensation is being paid as listed below and which must remain on the premises when vacant possession is given. It is understood and agreed that all fixtures, fittings and chattels not itemized herein which are left behind on the premises at the time vacant possession is delivered, shall be deemed to be abandoned and The Corporation of the City of Hamilton may dispose of same.

Floor Coverings:

Linoleum, tiles, carpeting, any covering normally held down with tacks or glue, etc.

Electrical Apparatus:

Built in fans, light fixtures, sockets, bulbs, fuses, wiring, switches, plugs, switch plates, fuse boxes, electrical equipment which is built in, appliances belonging to the City, antennae, air conditioners, door chimes, door bells, etc.

Plumbing:

Toilets, sinks, piping, drains, taps, handles, washtubs, faucets, showers, cistern, and well pumps, and motors, sump pumps and motors, etc.

Miscellaneous:

Awnings, doors, door knobs, locks, screens, storm windows, fences, gates, enclosures, sheds, outbuildings, patio stones, fireplaces, outdoor lights, flame hoods and exhaust fans, furnaces, ducts, humidifiers, thermostats, steps, cupboards, closets, wall mirrors, door mirrors, permanent shelving, mailboxes, shrubs, trees, plants, sod, flowers, gravel, railings, trellises, etc.

Appendix "p" as referred to in Section 26 of the 17th Report of the Planning and Development Committee

It is understood and agreed that the amount of \$49,500.00 is full and final payment of all compensation, interest and cost whatsoever which Tony Dilello might be entitled to as a result of the acquisition by The Corporation of the City of Hamilton of the land and buildings known as 10 Gerrard Street, Hamilton, Ontario.

DATED at Hamilton this 27 day of Aug 19 87

WITNESS:

Mark J. Brown x Tony Dilello
Tony Dilello

Taxes, including Owner's business tax, local improvements, water and sewer rates, etc., to be apportioned and allowed to the date of completion, and no adjustment shall be made for fuel oil.

The Vendor agrees to cancel and terminate all insurance pertaining to the said premises, no later than the actual date and time of closing and prior to the grant, conveyance or transfer of ownership and title to the purchaser, said cancellation and transfer shall be at the full cost and expense of the Vendor.

Pending completion of the sale arising out of the acceptance of this Option the Owner will hold all fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the City may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Option whether accepted or not and have all monies theretofore paid (including the sum paid for the granting of this Option) returned without interest.

The Owner covenants and agrees with the City to do nothing to encumber the said property after the execution of this Option by the Owner prior to the completion or other termination thereof, and agrees that the City may, in the presence of the owner or his representative inspect the property on the said date of completion, prior to the closing of the transaction.

It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under The Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.

Any tender or documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.

This Option is to be read with all changes of gender or number required by its context.

Time shall be of the essence of this Option and of the contract arising from the acceptance thereof which shall inure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

DATED at Hamilton this 27 day of Aug 19 87

SIGNED, SEALED AND DELIVERED
in the presence of



) X Tony Dilello (Seal)
) Tony Dilello (Seal)
) Tony Dilello (Seal)
) Tony Dilello (Seal)

The Undersigned Spouse of the Vendor hereby consents to the disposition evidenced herein pursuant to the provisions of The Family Law Reform Act, 1978, S.O. 1978, c.2, as the same may be amended from time to time.

In consideration of the sum of One Dollar (\$1.00), (the receipt of which from the City is hereby acknowledged), the undersigned spouse of the Vendor hereby agrees with the City that he/she will execute all necessary or incidental documents to give full force and effect to the sale evidenced herein.

Witness Spouse (Seal) Date Year Month Day

SCHEDULE "A"

12 Gerrard Street
Hamilton, Ontario

Owner's Interest
Maudy Dilello

ELEMENTS OF COMPENSATION:

Market Value of Realty	\$47,000.00
Legal fees re: 12 Gerrard St. - Mr. Petrini	500.00
TOTAL COMPENSATION	<u>\$47,500.00</u>

Appurtenances and fixtures for which compensation is being paid as listed below and which must remain on the premises when vacant possession is given. It is understood and agreed that all fixtures, fittings and chattels not itemized herein which are left behind on the premises at the time vacant possession is delivered, shall be deemed to be abandoned and The Corporation of the City of Hamilton may dispose of same.

Floor Coverings:

Linoleum, tiles, carpeting, any covering normally held down with tacks or glue, etc.

Electrical Apparatus:

Built in fans, light fixtures, sockets, bulbs, fuses, wiring, switches, plugs, switch plates, fuse boxes, electrical equipment which is built in, appliances belonging to the City, antennae, air conditioners, door chimes, door bells, etc.

Plumbing:

Toilets, sinks, piping, drains, taps, handles, washtubs, faucets, showers, cistern, and well pumps, and motors, sump pumps and motors, etc.

Miscellaneous:

Awnings, doors, door knobs, locks, screens, storm windows, fences, gates, enclosures, sheds, outbuildings, patio stones, fireplaces, outdoor lights, flame hoods and exhaust fans, furnaces, ducts, humidifiers, thermostats, steps, cupboards, closets, wall mirrors, door mirrors, permanent shelving, mailboxes, shrubs, trees, plants, sod, flowers, gravel, railings, trellises, etc.

Appendix "Q" as referred
to in Section 27 of the
17th Report of the
Planning and Development
Committee

It is understood and agreed that the amount of \$47,500.00 is full and final payment of all compensation, interest and cost whatsoever which Maudy Dilello might be entitled to as a result of the acquisition by The Corporation of the City of Hamilton of the land and buildings known as 12 Gerrard Street, Hamilton, Ontario.

DATED at Hamilton this 27 day of Nov 19 87

WITNESS:

Maudy Dilello

Taxes, including Owner's business tax, local improvements, water and sewer rates, etc., to be apportioned and allowed to the date of completion, and no adjustment shall be made for fuel oil.

The Vendor agrees to cancel and terminate all insurance pertaining to the said premises, no later than the actual date and time of closing and prior to the grant, conveyance or transfer of ownership and title to the purchaser, said cancellation and transfer shall be at the full cost and expense of the Vendor.

Pending completion of the sale arising out of the acceptance of this Option the Owner will hold all fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the City may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Option whether accepted or not and have all monies theretofore paid (including the sum paid for the granting of this Option) returned without interest.

The Owner covenants and agrees with the City to do nothing to encumber the said property after the execution of this Option by the Owner prior to the completion or other termination thereof, and agrees that the City may, in the presence of the owner or his representative inspect the property on the said date of completion, prior to the closing of the transaction.

It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under The Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.

Any tender or documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.

This Option is to be read with all changes of gender or number required by its context.

Time shall be of the essence of this Option and of the contract arising from the acceptance thereof which shall enure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

DATED at Montreal this 27 day of Aug 19 87

SIGNED, SEALED AND DELIVERED
in the presence of

[Signature] (Seal)
Maudy Dilello (Seal)
(Seal)
(Seal)
(Seal)

The Undersigned Spouse of the Vendor hereby consents to the disposition evidenced herein pursuant to the provisions of The Family Law Reform Act, 1978, S.O. 1978, c.2, as the same may be amended from time to time.

In consideration of the sum of One Dollar (\$1.00), (the receipt of which from the City is hereby acknowledged), the undersigned spouse of the Vendor hereby agrees with the City that he/she will execute all necessary or incidental documents to give full force and effect to the sale evidenced herein.

Witness _____ Spouse _____ Date _____
(Seal)

SCHEDULE "A"

24 Gerrard Street
Hamilton, Ontario

Owner's InterestELEMENTS OF COMPENSATION

Market Value of Realty.....\$ 36,000.00
Legal Fees, Re: 24 Gerrard Street,
MR. E. Cain.....\$ 500.00

TOTAL COMPENSATION **\$ 36,500.00**

Appurtenances and fixtures for which compensation is being paid as listed below and which must remain on the premises when vacant possession is given. It is understood and agreed that all fixtures, fittings and chattels not itemized herein which are left behind on the premises at the time vacant possession is delivered, shall be deemed to be abandoned and The Corporation of the City of Hamilton may dispose of same.

Floor Coverings:

Linoleum, tiles, carpeting, any covering normally held down with tacks or glue, etc.

Electrical Apparatus:

Built in fans, light fixtures, sockets, bulbs, fuses, wiring, switches, plugs, switch plates, fuse boxes, electrical equipment which is built in, appliances belonging to the City, antennae, air conditioners, door chimes, door bells, etc.

Plumbing:

Toilets, sinks, piping, drains, taps, handles, washtubs, faucets, showers, cistern, and well pumps, and motors, sump pumps and motors, etc.

Miscellaneous:

Awnings, doors, door knobs, locks, screens, storm windows, fences, gates, enclosures, sheds, outbuildings, patio stones, fireplaces, outdoor lights, flame hoods and exhaust fans, furnaces, ducts, humidifiers, thermostats, steps, cupboards, closets, wall mirrors, door mirrors, permanent shelving, mailboxes, shrubs, trees, plants, sod, flowers, gravel, railings, trellises, etc.

Appendix "R" as referred to in Section 28 of the 17th Report of the Planning and Development Committee

It is understood and agreed that the amount of \$36,500.00 is full and final payment of all compensation, interest and cost whatsoever which Stella Zaras might be entitled to as a result of the acquisition by The Corporation of the City of Hamilton of the land and buildings known as 24 Gerrard Street, Hamilton, Ontario.

DATED at HAMILTON this 26th day of August 1987.

WITNESS:

C. J. Zaras Stella Zaras
STELLA ZARAS

Taxes, including Owner's business tax, local improvements, water and sewer rates, etc., to be apportioned and allowed to the date of completion, and no adjustment shall be made for fuel oil.

The Vendor agrees to cancel and terminate all insurance pertaining to the said premises, no later than the actual date and time of closing and prior to the grant, conveyance or transfer of ownership and title to the purchaser; said cancellation and transfer shall be at the full cost and expense of the Vendor.

Pending completion of the sale arising out of the acceptance of this Option the Owner will hold all fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the City may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Option whether accepted or not and have all monies theretofore paid (including the sum paid for the granting of this Option) returned without interest.

The Owner covenants and agrees with the City to do nothing to encumber the said property after the execution of this Option by the Owner prior to the completion or other termination thereof, and agrees that the City may, in the presence of the owner or his representative inspect the property on the said date of completion, prior to the closing of the transaction.

It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under The Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada-Mortgage and Housing Corporation.

Any tender or documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.

This Option is to be read with all changes of gender or number required by its context.

Time shall be of the essence of this Option and of the contract arising from the acceptance thereof which shall enure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

DATED at HAMILTON this 26th day of August 1987.

SIGNED, SEALED AND DELIVERED
in the presence of

Here

) STELLA EVANS
) ATTEST: [Signature] (Seal)
) _____ (Seal)
) _____ (Seal)
) _____ (Seal)

The Undersigned Spouse of the Vendor hereby consents to the disposition evidenced herein pursuant to the provisions of The Family Law Reform Act, 1978, S.O. 1978, c.2, as the same may be amended from time to time.

In consideration of the sum of One Dollar (\$1.00), (the receipt of which from the City is hereby acknowledged), the undersigned spouse of the Vendor hereby agrees with the City that he/she will execute all necessary or incidental documents to give full force and effect to the sale evidenced herein.

Witness _____ Spouse _____ Date _____
(Seal)

3/27/84

SCHEDULE "A"

29 Gerrard Street
Hamilton, Ontario

Owner's Interest
573667 ONTARIO LTD.

ELEMENTS OF COMPENSATION:

Market Value of Realty	-	\$34,000.00
Legal Fees, 29 Gerrard St. Mr. L. Hunt	-	\$ 500.00
TOTAL COMPENSATION		\$34,500.00

Appurtenances and fixtures for which compensation is being paid as listed below and which must remain on the premises when vacant possession is given. It is understood and agreed that all fixtures, fittings and chattels not itemized herein which are left behind on the premises at the time vacant possession is delivered, shall be deemed to be abandoned and The Corporation of the City of Hamilton may dispose of same.

Floor Coverings:

Linoleum, tiles, carpeting, any covering normally held down with tacks or glue, etc.

Electrical Apparatus:

Built in fans, light fixtures, sockets, bulbs, fuses, wiring, switches, plugs, switch plates, fuse boxes, electrical equipment which is built in, appliances belonging to the City, antennae, air conditioners, door chimes, door bells, etc.

Plumbing:

Toilets, sinks, piping, drains, taps, handles, washtubs, faucets, showers, cistern, and well pumps, and motors, sump pumps and motors, etc.

Miscellaneous:

Awnings, doors, door knobs, locks, screens, storm windows, fences, gates, enclosures, sheds, outbuildings, patio stones, fireplaces, outdoor lights, flame hoods and exhaust fans, furnaces, ducts, humidifiers, thermostats, steps, cupboards, closets, wall mirrors, door mirrors, permanent shelving, mailboxes, shrubs, trees, plants, sod, flowers, gravel, railings, trellises, etc.

Appendix "S" as referred
to in Section 29 of the
17th Report of the
Planning and Development
Committee

It is understood and agreed that the amount of \$34,500.00 is full and final payment of all compensation, interest and cost whatsoever which 573667 Ontario Ltd. might be entitled to as a result of the acquisition by the Corporation of the City of Hamilton of the land and buildings known as 29 Gerrard Street, Hamilton, Ontario.

DATED at HAMILTON this 8th day of September 1987

WITNESS:

[Signature]

573667 ONTARIO LTD.

[Signature]
PRESIDENT

Taxes, including Owner's business tax, local improvements, water and sewer rates, etc., to be apportioned and allowed to the date of completion, and no adjustment shall be made for fuel oil.

The Vendor agrees to cancel and terminate all insurance pertaining to the said premises, no later than the actual date and time of closing and prior to the grant, conveyance or transfer of ownership and title to the purchaser, said cancellation and transfer shall be at the full cost and expense of the Vendor.

Pending completion of the sale arising out of the acceptance of this Option the Owner will hold all fire insurance policies and the proceeds thereof in trust for the parties hereto as their interests may appear and in the event of damage to the said premises the City may either take the proceeds of the insurance, if any, and complete the purchase or may cancel this Option whether accepted or not and have all monies theretofore paid (including the sum paid for the granting of this Option) returned without interest.

The Owner covenants and agrees with the City to do nothing to encumber the said property after the execution of this Option by the Owner prior to the completion or other termination thereof, and agrees that the City may, in the presence of the owner or his representative inspect the property on the said date of completion, prior to the closing of the transaction.

It is understood and agreed that if the said land is within a redevelopment area, the closing of this transaction is conditional upon the approval of the Minister of Municipal Affairs and Housing under The Planning Act. It is also understood and agreed that if the said land is within an urban renewal area, the closing of this transaction is conditional upon the approval of Canada Mortgage and Housing Corporation.

Any tender or documents or money may be made upon the parties hereto or their solicitors or agents and shall be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.

This Option is to be read with all changes of gender or number required by its context.

Time shall be of the essence of this Option and of the contract arising from the acceptance thereof which shall enure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

DATED at Hamilton this 29th day of September 19 87.

573667 ONTARIO LTD.

SIGNED, SEALED AND DELIVERED
in the presence of

J. Lusk

) *[Signature]* (Seal)
) President (Seal)
) _____ (Seal)
) _____ (Seal)

The Undersigned Spouse of the Vendor hereby consents to the disposition evidenced herein pursuant to the provisions of The Family Law Reform Act, 1978, S.O. 1978, c.2, as the same may be amended from time to time.

In consideration of the sum of One Dollar (\$1.00), (the receipt of which from the City is hereby acknowledged), the undersigned spouse of the Vendor hereby agrees with the City that he/she will execute all necessary or incidental documents to give full force and effect to the sale evidenced herein.

Witness _____ Spouse _____ (Seal) Date _____ Year Month Day

7/27/84

* REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its EIGHTEENTH Report for 1987 and respectfully recommends:

1. That a contract be awarded to **Standard Paving**, Hamilton in the amount of \$120 305. including applicable taxes to construct York Boulevard Streetscape, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and that an agreement be entered into by the City and the successful bidder.

NOTE: Lowest of three tenders received. \$90 000. provided in Streetscape Improvements, North Side, York Boulevard, MacNab to James Street, Account No. 0408-J72975. The additional expenditure be financed from the contingency allowance within the overall approved Parkade cost of \$7.2 million. Cadillac Fairview were issued a Purchase Order in the amount of \$7.2 million for the construction of the Parkade. The reduction of the contingency in the amount of \$30 305. provides for the completion of the streetscape improvements on the north-side of York Boulevard from MacNab to James Street. This will result in a reduction of \$30 305 to the original Purchase Order and contract issued to Cadillac Fairview. The new net contract total will therefore be \$7 133 195.

Respectfully submitted,

John D. Thompson
Secretary
1987 September 29

ALDERMAN J. SMITH, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

mjw

- * EIGHTEENTH Report of the Planning and Development Committee added during Council.

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **FOURTEENTH** Report for 1987 and respectfully recommends:

1. That Schedule 15 of By-law 79-323, as amended by By-law No. 81-234, Section 1 be further amended by deleting Clause c of Sub-section 1 of Section 1C, by adding at the end of Clause (d) the words "but excluding a Circus".

Note: The above amendment is to remain in force for seven days from 1987 October 6th, until and including, 1987 October 12th.

2. (a) That Licence By-law 79-323 be amended to increase licence fees by 5% effective 1988 January 1st; and
(b) That effective 1989 January 1st, Licence By-law 79-323 be amended to increase fees by a minimum of 5%, or the cost of inflation at that time.
3. That the City of Hamilton seek private legislation from the Province to licence and regulate Escort Services.
4. That the following amendments be made to Flea Market By-law 87-234:
 - (a) That Section 6(1) be amended by deleting the words "Every applicant and";
 - (b) That Section 6(2) be amended to read "No licence shall be issued to an owner where the owner fails to provide the site plan at the time of application or renewal in accordance with Sub-section 1";
 - (c) That Section 10 be amended by deleting the word "monthly";
 - (d) That Section 11(1) (2) and (3) be amended by deleting the word "month" and inserting in lieu thereof the word "year";
 - (e) That the Planning and Development Committee be requested to review Zoning By-law 6593 with the view of establishing appropriate areas in the City for the operation of Flea Markets, which would not have an adverse impact on established residential areas.

Note: The Legislation Committee has referred the issue of licence fees for Flea Market owners and stallholders to the Licencing Committee. The City Solicitor will therefore hold off amending Flea Market By-law 87-234, until such time as the fee structure has been approved.

5. For the information of the members of City Council, the Legislation Committee has appointed Alderman P. Valeriano to serve as the City's representative on the Gilda Cino Arts Award Planning Committee.
6. That community advertisements, previously displayed by banners on the outside City Hall balcony, be allowed to be displayed on a showcase board set up on an easel inside of City Hall.
7. (a) That the following civic awards be granted to the Hamilton Golden Hawks for their recent win of the Canadian Championship in Women's Hockey:

Gold Civic Rings

Jodie Reid
Maureen Vande Ven
Sharon Sanderson
Diane Fowlie
Heather Ginzel
Kelly Weaver
Tracy Eatough
Jayne Gilhuly
Franc St. Louis
Colleen Kohen
Shirley Cameron
Dawn McGuire

Diamond Inserts

Cathy Phillips
Joanne Repei
Helen Lickers
Marion Coveny
Janet Stone
Lois Cole
Pat White
Sandy Boyd
Dayna Dann
Angela James
Pat Krusto
Jackie Hughes
Fran Ryder
Margo Verlaan

- (b) That the Finance Committee recommend the method of financing the estimated cost of \$1 400. for diamond inserts for the above players.
8. That a civic sterling silver pin be awarded to Mr. Michael Watson for his win in the Ontario National Coca-Cola 10-pin Bowling Tournament Championships (Grades 9-12 Handicap) held in Toronto in April 1987.

9. That the following recommendations of the Animal Control Sub-Committee be approved:

- (a) That the current definition of a "Vicious Dog" be amended to read as following:

"Vicious Dog" means a dog that has made an unprovoked attack or bite which causes physical injury to a person or to an animal under restraint or confined to the owner's property.
- (b) That with respect to the restraint or enclosure of dogs, Council reaffirm Section 5a) of By-law No. 86-362 which reads as follows:

'5a) Every dog owner shall provide a restraint or enclosure as may be required to the specific breed of dog, for the purpose of confining the dog to the premises of the owner.'
- (c) That the Minister of Agriculture and Food be requested that the limits for fines under the Dog Tax and Livestock Protection Act be increased to \$2 000.
- (d) That the Provincial Solicitor-General be requested to amend the Dog Owner's Liability Act to reflect significantly increased fine levels and the possible imposition of a jail term in cases of attack.
- (e) That the City of Hamilton apply to the Chief Justice to increase the set fine for dog biting from \$53.75 to \$200.

Note: The H.S.P.C.A. has been directed by the Legislation Committee to prepare a report on a proposed advertising campaign for the purpose of increasing public awareness of animal control by-laws, definitions, fines, etc. currently in place in the City of Hamilton.

10. That the Market Plan for 1987 for the Hamilton Farmers' Market, as submitted to the Legislation Committee, at a total estimated cost of \$17 000., be approved.

Note: Funds for this expenditure are available in the Hamilton Farmers' Market 1987 allocation. A copy of the Marketing Plan is available from the Secretary upon request.

11. (a) That Amnesty International be welcomed to hold a Proclamation Ceremony for "Prisoner of Conscience Week" in the Council Chambers on Monday, 1987 October 26th from approximately 7:00 p.m. to 10:00 p.m.
- (b) That a Property Maintenance worker be available for this time period to ensure that all necessary equipment and set up is carried out.
- (c) That coffee, pop and cookies for approximately 75 people be provided at an estimated cost of \$100. (Account No. 0373-1002 - Receptions - City Hall).
- * 12. That the City of Hamilton **ENDORSE** the following resolution from the County of Lanark:

WHEREAS, the Province of Ontario is historically and predominately an English Language Province and many Ontario Municipalities and others are voicing their growing concerns regarding the French Language Services Act (Bill 8) passed in the Ontario Legislature November 19th, 1986. The strength of Ontario is made up of many Ethnic Cultures, all important,

AND WHEREAS; the County of Lanark recognizes the growing concerns to implement mandatory bilingualism within the Province of Ontario,

AND WHEREAS; the County of Lanark deems this issue of such importance that all residents of Ontario of voting age be given the opportunity to voice their opinion to the Provincial Government on this matter,

NOW THEREFORE BE IT RESOLVED; that the County of Lanark requests the Minister to initiate legislation to ensure that all Municipalities in the Province of Ontario include a referendum on this issue during the 1988 Municipal Elections.

A copy of this resolution be forwarded to the Premier of Ontario, the Minister of Municipal Affairs, the Consultative Committee advising the Minister, Candidates for Premier of Ontario, Candidates for MPP Lanark-Renfrew, Association of Municipalities of Ontario, All Municipalities in Ontario.

- * Section 12 lost,
Recorded Vote, see page 1802

13. That the City of Hamilton **ENDORSE** the following resolution from the City of Windsor:

WHEREAS the Government of Canada has introduced a Tax Reform White Paper; and

WHEREAS proposed changes to existing tax legislation contained in this White Paper will result in additional costs to municipalities, especially with regard to the accelerated remittance of employee deductions; and the levying of sales tax on previously exempt items such as fire fighting, water and sewage treatment equipment and bridge construction materials; and

WHEREAS these additional costs will have to be borne by the municipalities and ultimately the municipal taxpayers; and

WHEREAS such "hidden" sales taxes have an adverse impact on municipalities by shifting to the regressive property tax base similar to other federal taxes such as the \$100.00 excise tax on vehicles equipped with air conditioning;

THEREFORE BE IT RESOLVED that the Council of the City of Windsor expresses its concern over the implementation of these new initiatives to the Federal Government, through Finance Minister Michael Wilson, and calls upon the Minister to reconsider these proposals;

AND THEREFORE BE IT FURTHER RESOLVED that this resolution be circulated to municipalities over 100,000 population, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities to urge them to communicate their concerns of this issue directly to the Federal Government of Canada;

AND THAT this resolution be immediately sent to all Windsor area Members of Parliament and Members of the Provincial Legislature for their support.

14. That the City of Hamilton **ENDORSE** the following resolution from the Township of Beckwith:

BE IT RESOLVED THAT The Council of the Corporation of the Township of Beckwith request the support of the Municipalities of the Province of Ontario in petitioning the Ministry of Housing to review and update the Ontario Home Renewal Program so the municipalities can aid their ratepayers who are not able to qualify under this program but are in need of it. The Ministry is hereby requested to study the possibility of increasing the taxable income per household, and the amount of grant available. Also, the Clerk be instructed to send out a copy of this to the Premier of Ontario, the local provincial representative, the Minister of Housing, the A.M.O. and R.O.M.A.

15. That the City of Hamilton **RECEIVE** the following resolution from the Township of Tilbury West:

THAT the Corporation of the Township of Tilbury West appreciates the importance of the matter whereby each and every member of the Federal Government was given the opportunity to cast his or her vote on the issue of Capital Punishment, such vote as a "free" vote unbridled by Party policy or direction.

THAT the Council of Tilbury West Township would like to see that the members of both the Feral and Provincial Governments have more "free" voting opportunities on future important issues rather than voting ad directed by the Party practice and policies.

THAT we request other municipalities in Ontario to join us in urging the Prime Minister of Canada and the Premier of Ontario to give our Government representatives more "free" voting opportunities.

16. That overdraft approval be given for all affected accounts within the City Clerk's Department and Legislative Budgets with every effort being made to finance these overdrafts from other accounts within these budgets.

Note: For the information of the members of City Council, overdraft approval is primarily required for the Advertising account which will have an anticipated overdraft of \$40 000. by the end of this year which is in line with the 1986 actual, and the Sales Tax account in the Printing Division which will have a projected overdraft of \$12 500. due to increased printing necessary this year. The other account overdrafts are of a minor nature and will be financed by account transfers.

17. (a) That a budget allocation of \$100 000. be approved within the City Clerk's Department budget to finance all costs incurred for the Ward 3 and Ward 5 Bi-Elections to take place on November 17, 1987.
- (b) That the City's share of this cost (approximately \$50 000.) be financed from the Reserve.

Note: For the information of the members of City Council, the Municipal Elections Act requires the Board of Education to reimburse the City of Hamilton for any reasonable expenses incurred by the Municipality to conduct the Ward 3 Bi-Election on their behalf.

09/29/87

18. That leave be granted to introduce the following Bills:

- Bill E-16** A By-law to require an election to fill a vacancy in
Ward 5.
- Bill E-17** A By-law to amend Licensing By-law No. 79-323
respecting Places of Amusement.
- Bill E-18** A By-law to amend various Licensing By-laws respecting
Fees.

Respectfully submitted,

ALDERMAN V. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

Susan K. Reeder
Secretary
1987 September 21

mjlw

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its FOURTEENTH Report for 1987 and respectfully recommends:

1. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to 1987 September 10, as set out on the list attached hereto as Schedule "A".
2. Approval of the reclassification of the stenographer positions reporting to the Legislative Assistants II in the City Clerk's Department, effective September 1, 1987:
 - (a) Stenographer IV, Salary Schedule E-2, \$326.45 to \$351.68 per week to Stenographer II, Salary Schedule E-4, \$382.03 to \$409.45 per week.
 - (b) Mrs. J. Cers, the present incumbent, now paid \$339.48 per week, to be paid \$382.03 per week.
3.
 - (a) Approval of the reclassification of the position of Stenographer II, Plan Examination Division, Building Department, Salary Schedule E-4, \$382.03 to \$409.45 per week to Stenographer I, Salary Schedule E-5, \$391.22 to \$439.87 per week.
 - (b) Mrs. Debora Miscione, the present incumbent, now paid \$409.45 per week (maximum), to be paid \$439.87 per week (maximum), effective July 28, 1987.

09/29/87

4. (a) Approval of the appointment of Ms. Lian Lawrence to the position of Solicitor IV, City Solicitor's Department, Salary Grade "L", \$33,544.68 to \$39,500.76 per annum.
- (b) Ms. Lawrence, presently employed as a Student-at-law in the City Solicitor's Department, to be paid \$34,902.92 (second step), effective October 1, 1987.
5. That Step 12 of the established appeal procedure dealing with employees requesting reclassification, be amended by deleting the "five minute" restriction placed upon employees appearing before the Personnel Committee in connection with their appeal, and that it be replaced with the words "a reasonable time"; so that Step 12 will now read:

"At the meeting of the Personnel Committee at which the report of the Human Resources Centre is to be considered, the employee is to be given an opportunity of speaking to the Committee. The employee's comments to be restricted to a reasonable time. The employee's presentation to be made in camera. (They may have their Department Head with them)."

Respectfully submitted,

ALDERMAN M. KISS, CHAIRPERSON,
PERSONNEL COMMITTEE.

E. A. Simpson, Secretary,
1987 September 23.

Referred to in Section 1 of the Fourteenth
Report of the Personnel Committee.

Schedule "A"

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Robert Bell	Captain	Fire	replacing Mr. J. R. Cassidy - promoted	C-8	\$45,727.30 per annum	87/07/26
Mr. David Clark	Captain	Fire	replacing Mr. J. A. Seeley - retired	C-8	\$45,727.30 per annum	87/07/26
Mr. Michael Connelly	Traffic Signal Repairman II	Traffic	replacing Mr. J. Wallace - promoted	B-6	\$480.10 per week	87/08/10
Mr. Vincenzo Dituilio	Concrete Finisher (Districts)	Public Works	replacing Mr. E. Torres - terminated	D-8	\$11.654 per hour	87/08/05
Mr. Paul Dubord	Traffic Serviceman I	Traffic	replacing Mr. B. Hunter - transferred	A-4	\$445.97 per week	87/08/10
Mr. Patrick Fournier	Garbage Truck Driver	Public Works	replacing Mr. B. Vance - transferred	D-9	\$11.915 per hour	87/08/03
Miss Monica German	Draftsman III	Building	replacing Mr. R. Doucet - promoted	A-3	\$379.13 per week	87/08/31
Mr. Frank Hand	Hydraulic Back Hoe Operator	Public Works	replacing Mr. V. Fournel - retired	D-11	\$12.107 per hour	87/08/24

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Miss Brenda Killingbeck	Stenographer IV	Community Development	replacing Ms. Susanne Markle - Resigned	E-2	\$326.45 per week	87/08/24
Mr. Scott McEwan	Motor Mechanic Helper	Central Garage Division of Public Works	replacing Mr. G. Kudlowich - promoted	D-9	\$11.715 per hour	87/08/31
Miss Lucy Pacifici	Typist Clerk II	City Clerk's	replacing Ms. D. Occhiuto - promoted	E-2	\$326.45 per week	87/08/10
Mr. Bruno Pasquino	Concrete Finisher (Districts)	Public Works	replacing Mr. J. Demorais - resigned	D-8	\$11.654 per hour	87/08/05
Mr. Richard Pierce	Truck Driver	Public Works	replacing Mr. J. Mangano - transferred	D-7	\$11.795 per hour	87/08/03
Mr. Robin Shaw	Storeman	Convention Centre Division of H.E.C.F.I.	additional staff as approved	4	\$15,999.88 per annum	87/08/17
Mr. Mark Sheridan	Foreman III Horticulture	Parks Division of Public Works	additional staff as approved	13C	\$26,767.00 per annum	87/08/24
Mrs. Barbara Thompson	Stenographer III	Building	returning to former position as per employee's request	E-3	\$376.00 per week	87/08/31

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Brian Vance	Garbageman	Public Works	returning to former position as per employee's request	D-8	\$11.854 per hour	87/08/03
Miss M. Joyce Walton	Stenographer I	City Clerk's	replacing Mrs. T. Bodden - promoted	E-5	\$439.87 per week	87/08/10

-1917-

09/29/87

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Robert Delconte	Timekeeper (temporary)	Public Works	replacing Mr. D. Anderson - promoted	A-3	\$379.13 per week	87/08/11
Mr. Frank Digiambattista	Arena Maintenance Man II (temporary)	Copps Coliseum Division of H.E.C.F.I.	replacing Mr. G. Faulkner - terminated	M-7	\$11.562 per hour	87/08/31
Mr. Douglas Eves	Street Sweeper Operator (temporary)	Public Works	replacing Mr. R. Guenther - promoted	D-9	\$11.715 per hour	87/09/04
Ms. Christine Gauthier	Pool Supervisor (temporary)	Culture and Recreation	replacing Mrs. K. Jerrad - maternity leave	N2	\$29,155.36 per annum	87/08/03
Mrs. Silena McEwan	Receptionist/Typist (temporary)	Copps Coliseum Division of H.E.C.F.I.	replacing Mrs. L. Zbucki - maternity leave	5	\$16,511.04 per annum	87/08/17
Mr. James Pearson	Equipment Foreman (Repairs) (temporary)	Culture and Recreation	replacing Mr. O. Theroux - off sick	13C	\$26,767.00 per annum	87/08/31
Mr. Tony Scime	Maintenance Man III (temporary)	Central Utilities Plant Division of H.E.C.F.I.	replacing Mr. N. Hryhoriw - on W.C.B.	M-11	\$13.025 per hour	87/08/10

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Mark Burtniak	Preventive Maintenance Supervisor	Copps Coliseum Division of H.E.C.F.L.	resigned	1 year & 9 months	87/07/31
Mr. James Harvey	Firefighter I	Fire	resigned	6 years & 3 months	87/08/06
Mr. John Mackey	Firefighter I	Fire	deceased	22 years & 3 months	87/08/10
Miss Susanne Markle	Stenographer IV	Community Development	resigned	1 year	87/08/21

09/29/87

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Scott Ridehalgh	Arena Maintenance Man II (temporary)	Copps Coliseum Division of H.E.C.F.I.	returning to former part-time position	3 weeks	87/08/31

Prepared 1987 September 10

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **FIFTEENTH** Report for 1987 and respectfully recommends:

1. That a purchase order be issued to Paling Incorporated, Hamilton, in the amount of \$14 720.92 including applicable taxes, for body work repairs to Hamilton Fire Department Vehicle No. 1651, in accordance with Vendor's quotation.

Note: Lowest of two (2) quotations received. Funds provided in Depreciation Account, Major Repairs No. 0280-03.

2. That the claims of Jean and Reginald Faubert be settled in the amount of \$2 500.00 inclusive of interest and costs plus a payment of \$285.34 to O.H.I.P. in settlement of their subrogated claim for a total settlement of \$2 785.34.

Note: Mrs. Jean Faubert fell in the pedestrian crosswalk on King Street at its intersection with James Street just prior to the City replacing the interlocking bricks with cement. She fractured the 5th metatarsal bone in her left foot and was in a cast for four weeks. She and her husband commenced legal action against the City claiming damages totalling \$82 000.00 plus cost and interest. Settlement of this claim is recommended.

3. That an Offer to Purchase a One Foot Reserve between 329 Catherine Street North and Duffy's Alley executed by Manual Pereira and Maria Ines Pereira on 1987 September 03 and scheduled for closing on 1987 November 27, be approved and completed.

Note: The subject parcel of land measures one foot by a depth of 105 feet and is shown as Part 2 on Plan 62R-5965. The purchase price of \$105.00 is to be credited to Account No. 0280-02. A certified deposit cheque in the amount of \$10.00 is being held by the City Treasurer pending approval of this transaction.

4. That approval be given to inform the Board of Education that the City has no requirements for the vacant land at 209 Rymal Road West.

Note: The City of Hamilton is in receipt of a letter from the Board of Education advising that a ten acre parcel of vacant land was available for sale.

City departments were circularized for comments on their requirements for the subject parcel of land. Results of the circularization indicated that this ten acre site is not required for any municipal purpose at this time.

5. That approval be given to an approved overdraft in Property and Maintenance Division Account No. 0328-6033 - Maintenance Rinks and Pools, in the sum of \$7 000. representing the cost to replace a domestic hot water tank at Eastwood Rinks and Pool.

Note: Financing of this approved overdraft will be covered by the unencumbered balance within the Property and Maintenance Division's overall budget expected to be realized by the end of the budget year.

6. a) That approval be given to carry out major repairs to Vehicle No. 9413 - Bombardier Ski Dozer at a cost of \$25 000. as recommended by the Fleet Superintendent.
- b) That the cost of these major repairs be financed from the Reserve for Major Repairs Account No. 0280-03 and added to the total cost of the Vehicle for Depreciation Purposes.
- c) That the Manager of Purchasing be authorized to issue a purchase order to the lowest tenderer, Universal Go-Track, for the required parts.

Note: The life term expectancy of this vehicle will be extended for an additional 4 years following repairs.

7. a) That the Treasurer be authorized to proceed with an upgrading of the security alarm system in the Treasury Department.
- b) That the estimated cost of \$3 000. to carry out this improvement be financed by savings realized in the Sundry Revenue area (Salaries 0323-1301) of the Finance Division.

8. a) That an amount of \$1 700 000.00 be allocated in a separate interest bearing reserve to provide funds for the possibility of a retroactive realty and business tax loss (1983 through to 1987) relative to the Dofasco appeal and,
- b) That in the event the City of Hamilton is ultimately successful in its appeal, the Treasurer be authorized to transfer these funds to the Reserve for Capital Projects, Account No. 0280-27 to enhance the "Pay-as-you-go" policy for financing capital projects.

Note: The possible tax loss relative to the Dofasco appeal is of such magnitude that City Council should provide funds in 1987 to the extent that such funds will be available within the normal 1987 surplus calculations. If the City is ultimately successfully in its appeal, the \$1 700 000. plus accumulated interest will be transferred to the Reserve for Capital Projects to reduce the impact of future debenture charges.

9. a) That the Mayor and the City Clerk be authorized to execute a Trust Agreement with Royal Trust Corporation of Canada, to provide investment custodial services for the Hamilton Municipal Retirement Fund (HMRP), a copy of which is annexed hereto as Schedule "A".
- b) That the Treasurer be hereby authorized as the signing officer to give all communications, notices and directions by the Corporation of the City of Hamilton to the Royal Trust Corporation of Canada pursuant to the Trust Agreement.
- c) That in the absence of the Treasurer, the Acting Treasurer be authorized as aforesaid to have all the powers and duties of the Treasurer as signing officer in respect of the Trust Agreement.

Note: Effective December 1, 1986, Royal Trust was appointed as the HMRP investment custodian.

For fee purposes, the City and the Region have entered into a joint agreement to receive a reduced rate for custodial services. The Trust Agreement, however, is entered into separately.

The City Solicitor has reviewed this agreement and approved the above recommendations.

10. a) That the Actuarial Report dated 1987 August 21, prepared by the City of Hamilton's Actuaries, The Wyatt Company, indicating a fully funded position of The Hamilton Municipal Retirement Fund (HMRF) as at 1986 December 31, be accepted and received.
- b) That the contribution of the City of Hamilton to HMRF be reduced from 6.81% of pensionable earnings to 5.75% of pensionable earnings as recommended by the Wyatt Company, as at 1988 January 01.

Note: Copies of the Actuarial Report are available for review from the Acting Secretary.

11. a) That The Hamilton Municipal Retirement Fund (HMRF) divest itself of all South African investments (direct or indirect) when it would be considered a normal and prudent investment decision of the Trustees of the Fund, or until such time as fiduciary protection is provided the Trustees of this Fund by legislation.
- b) That the Provincial Government through the Attorney General, The Honourable I. Scott be requested to give final Reading to Bill 5 - An Act permitting Trustees and other Persons to dispose of South African Investments at the earliest possible moment for subsequent implementation.

Note: The purpose of this recommendation is to outline the stewardship and fiduciary responsibilities of the Trustees (Treasurer and City Council). Protection for Trustees in disposing of South African investments is presently in the form of legislation (Bill 5) before the Ontario Legislature.

- * 12. ** a) That the City of Hamilton, including H.E.C.F.I., the Library and the Parking Authority, institute a staff complement "freeze" in 1988, meaning no additional staff above the approved 1987 staff quota will be considered, and that the 1988 Budget submissions of Departments and Local Boards not include any request for additional staff or new or expanded programs or services.

* Proposed Amendment Lost
Recorded Vote, see page 1802

** Section 12a) Proposed Amendment Lost, Recorded Vote's see page 1803
Section 12a) Lost, Recorded Vote, see page 1804

- * b) That the City of Hamilton, including H.E.C.F.I., the Library and the Parking Authority reduce service levels equivalent to the difference between the inflation rate and the projected growth in the assessment base, but that in any case the 1988 mill rate increase be limited to a maximum of 4.5% over 1987, by the following process:
- i) Departments and Local Boards include in their 1988 budget submissions specific proposals to reduce service levels;
 - ii) these proposals for service reductions be prioritized by the Department, Local Board, and Standing Committee for global ranking;
 - iii) the prioritized listing showing the funding line be submitted to the Finance Committee, with all of Council involved, to confirm the ranking and the funding line;
 - iv) a special meeting of Council be called to approve the funding line which will indicate specific services below the line which will be reduced or eliminated.
- ** c) That the Regional Municipality of Hamilton-Wentworth, the Board of Education for the City of Hamilton, and the Hamilton Wentworth Separate School Board be informed of the City's intention and be requested to adopt similar proposals for budget preparation.

Note: Members of City Council are advised that arrangements have been for the Finance Committee to hold a special all day meeting with Department Heads and all Members of City Council on Friday, October 30, 1987, to discuss budget goals and policies, identify and review existing priorities as well as the existing level of service in each department and give direction on the preparation of the 1988 Current Budget Estimates.

This will be a meeting of the Committee of the Whole and attendance will be mandatory.

13. That outstanding business taxes, in the amount of \$83,204.95, be written-off in accordance with Section 495 of the Municipal Act, R.S.O., 1980 and charged to Account No. 0220, Tax Write-offs.

* Section 12b) Proposed Amendment Lost, Recorded Vote, see page 1803
Section 12b) Lost, Recorded Vote, see page 1805

** Section 12c) Amended, see page 1925
Recorded Vote, see page 1804

Note: Copies of the Treasurer's Report showing the detail of the outstanding business taxes are available for review from the Acting Secretary.

14. That leave be granted to introduce the following Bill:

- a) **Bill G-9:** A By-law to Exempt the Corporation Called "Hamilton Jewish Communal Projects".

Note: At its meeting held September 1, 1987, City Council referred back the subject Bill to the Finance Committee for further consideration.

On September 22, 1987, representatives of the Hamilton Jewish Community Centre appeared before the Finance Committee requesting that the proposed By-law granting the exemption be retroactive to January 1, 1986 instead of October 28, 1986, the date City Council endorsed the application for the Private Bill so as to authorize the City to grant an exemption.

The Committee approved that no action be taken on the request and directed that Bill G-9 be resubmitted to City Council to provide that the exemption to be granted be retroactive to October 28, 1986.

Respectfully Submitted,

Alderman P. O. Valeriano, Chairman
Finance Committee

John Thompson, Acting Secretary

1987 September 22
mjw

* Section 12c) Amended to read:

12. c) Members of City Council are advised that arrangements have been made for the Finance Committee to hold a special all day meeting with Department Heads and all Members of City Council on Friday, October 30, 1987, to discuss budget goals ;and policies, identify and review existing priorities as well as the existing level of service in each department and give direction on the preparation of the 1988 Current Budget Estimates.

ROYAL TRUST CORPORATION OF CANADA

SCHEDULE "A"

THIS TRUST AGREEMENT made as of the 1st day of December, 1986

B E T W E E N:

THE CORPORATION OF THE CITY OF
HAMILTON, a company duly
incorporated under the laws of
Canada, (hereinafter referred to
as the "Company")

OF THE FIRST PART

- A N D -

ROYAL TRUST CORPORATION OF CANADA,
a trust company incorporated under
the laws of Canada, (hereinafter
referred to as the "Trustee")

OF THE SECOND PART

WHEREAS the Company has heretofore adopted the City of Hamilton Municipal Retirement Plan (the said plan, as amended from time to time, is hereinafter referred to as the "Plan") for the purpose of providing the pension benefits and other benefits described therein to its eligible employees and to the eligible employees of any other corporation which participates in the Plan in accordance with the provisions of the Plan and which is related to the Company within the meaning of the Income Tax Act (Canada) (hereinafter referred to as a "Participating Company");

AND WHEREAS the Company is desirous that Royal Trust Corporation of Canada be the trustee of the pension trust fund established hereunder in conjunction with the Plan (a copy of which Plan, as amended to the date hereof, is attached hereto as Schedule "A").

NOW THEREFORE the Company and the Trustee agree as follows:

ARTICLE I
ESTABLISHMENT AND ACCEPTANCE OF TRUST

1. Establishment of Trust Fund

All money and other property paid or delivered or caused to be paid and delivered by the Company from time to time to the Trustee and acceptable to the Trustee, together with any earnings, profits and increments thereon and property from time to time substituted therefor, less authorized payments therefrom, shall constitute the trust fund (the "Trust Fund")

established in conjunction with the Plan and shall be held by the Trustee in trust and applied by the Trustee in the manner and for the purposes provided in the Plan and this Trust Agreement.

2. Acceptance of Trust

The Trustee hereby accepts the trust created by this Trust Agreement (the "Trust") and agrees to hold, invest and administer the Trust Fund subject to the terms and conditions of the Plan and Trust Agreement.

3. Amendments to Plan Filed with Trustee

Copies of all amendments made by the Company to the Plan from time to time shall be filed with the Trustee.

ARTICLE II
PAYMENTS BY THE TRUSTEE

1. Application of Trust Fund

(a) The Trustee shall, from time to time, on the written directions of the Company, apply the Trust Fund, including the making of payments out of the Trust Fund to such persons (including the Company), in such manner and in such amounts and for such purposes as are authorized in the Plan and as may be specified in such written directions to the Trustee. Upon any such payments being made by the Trustee, the amount thereof shall no longer constitute a part of the Trust Fund. In each instance, the written directions shall include a certification to the Trustee acceptable to the Trustee that such directions are in accordance with the terms of the Plan.

(b) The Trustee shall be fully protected in relying and acting upon the written directions of the Company given pursuant to paragraph (a) above and shall be under no liability for any application of the Trust Fund made by it pursuant to such written directions and shall not be under the duty of making inquiries with respect to whether any application of the Trust Fund as directed complies with the terms of the Plan.

2. Taxes and Other Assessments

The Trustee shall pay out of the Trust Fund all brokerage commissions, taxes and other assessments levied or assessed under existing or future laws applicable to the Trust against the Trustee or the Trust Fund in respect of the Trust Fund, or

any part thereof, and shall withhold from payments out of the Trust Fund all taxes and other assessments required by any applicable law to be so withheld; provided that the Trustee shall review all tax levies and assessments with a view to determining the applicability and correctness thereof and, in cases where there is any doubt, shall forthwith notify the Company so that, so far as practicable, there will be sufficient time for discussion and, where appropriate, appeal of any questionable levy or assessment.

3. Compensation and Expenses

The Trustee shall be entitled to such compensation as may from time to time be mutually agreed upon in writing by the Trustee and the Company. Such compensation and all other disbursements made and expenses incurred in the performance of the duties of the Trustee hereunder or arising out of this Trust shall constitute a charge upon the Trust Fund and shall be paid out of the Trust Fund unless such compensation, disbursements and expenses shall first be paid by the Company. The Trustee is authorized to pay out of the Trust Fund on directions from the Company, the compensation, disbursements and expenses of others relating to the administration of the Plan and the Trust.

ARTICLE III
INVESTMENTS

1. Investment of Trust Fund

Subject to the appointment of an Investment Manager under section 4 of this Article III, the Trust Fund shall be held, invested and reinvested in such manner as the Trustee may, in its sole discretion, determine without in any way being limited to investments authorized for trustees under any applicable federal, provincial or territorial legislation; provided, however, that all assets in the Trust Fund will be invested in accordance with applicable legislation or regulations relating to approved and/or registered pension plans established and promulgated by federal, provincial or territorial authority.

2. Power to Commingle

Subject to section 1 of this Article III and the prior written direction of the Company, the Trustee may, in its discretion, from time to time:

- (a) invest all or any part of the Trust Fund in any one or more of the trust funds established under an express Declaration of Trust by the Trustee, its affiliates or any other

authorized financial institution and qualified for the investment of pension funds; provided that a copy of the applicable Declaration of Trust establishing such fund or funds shall be given to the Company;

- (b) commingle all or any part of the Trust Fund with the assets of some or all of the trust funds established in conjunction with other employee pension plans of the Company or of any other corporation that is related to the Company within the meaning of the Income Tax Act (Canada) and for which the Trustee is trustee and to make joint, collective or participating investments with respect to such commingled assets; provided, however, that the Trustee shall maintain separate accounts reflecting the undivided share, expressed on a pro rata basis, of the Trust Fund in such investments and shall equitably on such basis determine the value of the assets of the Trust Fund from time to time withdrawn or segregated from such joint, collective or participating investments. For greater certainty, it is expressly understood and agreed that neither the aforesaid commingling, making of joint, collective or participating investments nor the maintenance of separate accounts as herein provided is intended to create, nor shall such commingling, making of joint, collective or participating investments and maintenance of separate accounts, create a separate trust.

3. Mixed Fund

The Trust Fund shall always be kept distinct from the general assets of the Trustee. Should property of the Trust Fund for any reason become mixed with the general assets of the Trustee, the entire resulting mixed fund shall be deemed to be held by the Trustee in trust hereunder to the extent necessary to satisfy the Trust's claim on such mixed fund.

4. Appointment of Investment Manager

- (a) The Company may appoint from time to time one or more investment managers ("Investment Manager"), who may be, but shall not be limited to, an employee of the Company, or a subsidiary thereof, or a board or committee, the members of which consist of or include one or more of such employees, to manage the investment of the whole or any portion or portions of the Trust Fund in accordance with the requirements of section 1 of this Article III and with respect to such whole or any portion or portions of the Trust Fund, to direct the Trustee in the exercise of the powers (except those powers enumerated in paragraphs C, G, H, I, L, M, N, O and P of section 1 of Article IV) conferred by this Trust Agreement.

- (b) In each case where an Investment Manager is appointed, the Company will provide the Trustee with written notice of such appointment and determine the assets of the Trust Fund to be allocated to such Investment Manager from time to time and issue appropriate written directions to the Investment Manager with respect to the assets so allocated. The Trustee shall be entitled to rely conclusively on the directions of the Investment Manager with regard to the retention, investment and reinvestment of the Trust Fund or any portion thereof managed by such Investment Manager and shall be fully protected in acting in accordance with such directions. The Trustee shall also be entitled to rely conclusively on and shall be fully protected in acting in accordance with the directions of the Investment Manager in the exercise of powers conferred by this Trust Agreement as provided in paragraph (a) of this section 4.
- (c) Any Investment Manager appointed by the Company shall be responsible for the retention, investment and reinvestment of that portion of the Trust Fund allocated to such Investment Manager in accordance with the provisions of this Article III.
- (d) Notwithstanding any investment authority given to an Investment Manager, the Trustee may dispose of any assets of the Trust Fund on such terms as the Trustee may determine, in order to pay any obligations imposed on the Trust Fund or to repay any loan authorized by this Trust Agreement.
- (e) The Trustee may assume that the appointment of an Investment Manager continues in force until receipt of written notice to the contrary from the Company.

5. Termination of Investment Manager

The Company may at any time terminate the appointment of any Investment Manager, in which event the Trust Fund, or the portion thereof managed by such Investment Manager, shall again be invested and reinvested by the Trustee as hereinbefore provided until a successor Investment Manager is appointed by the Company with respect to all or any such portion of the Trust Fund.

ARTICLE IV
CONCERNING THE TRUSTEE

1. General Powers

The Trustee shall have, and is hereby vested with, all and every power, right and authority necessary or desirable to enable the

Trustee to administer the Trust Fund and carry out its obligations under this Trust Agreement, including, without restricting the generality of the foregoing, full power and authority:

- A. with any cash at any time held by it to purchase, or otherwise acquire, any securities or other property of a kind permitted as aforesaid and to purchase, hold and retain the same in trust hereunder;
- B. to sell for cash or on credit, or partly for cash and partly on credit, convey, exchange for other securities or other property, convert, transfer, or otherwise dispose of any securities or other property held by it at any time, by any means considered reasonable by the Trustee, and to receive the consideration and grant discharges therefor;
- C. to commence, defend, adjust or settle suits or legal proceedings in connection with the Trust Fund and to represent the Trust Fund in any such suits or legal proceedings and to keep the Company informed; provided, however, that the Trustee shall not be obliged or required to do so unless it has been indemnified to its satisfaction against all expenses and liabilities sustained or anticipated by the Trustee by reason thereof;
- D. to exercise any conversion privileges, subscription rights, warrants and/or other rights or options available in connection with any securities or other property at any time held by the Trustee, and to make any payments incidental thereto; to consent to, or otherwise participate in or dissent from, the reorganization, consolidation, amalgamation or merger of any corporation, company or association, or to the sale, mortgage, pledge or lease of the property of any corporation, company or association, any of the securities of which may at any time be held by it, and to do any act with reference thereto, including the delegation of discretionary powers, the exercise of options, the making of agreements or subscriptions and the payment of expenses, assessments or subscriptions which it may deem necessary or advisable in connection therewith; to hold any securities or other property which it may so acquire and generally to exercise any of the powers of an owner with respect to securities or other property held in the Trust Fund;
- E. to vote personally, or by general or by limited proxy, any securities or other property which may be held by it at any time, and similarly to exercise personally or by general or by limited power of attorney any right appurtenant to any securities or other property held by it at any time;

- F. to renew or extend or participate in the renewal or extension of any securities or other property, upon such terms as it may deem advisable, and to agree to a reduction in the rate of interest on any security or other property or of any guarantee pertaining thereto, in any manner and to any extent that it may deem advisable; to waive any default whether in the performance of any covenant or condition of any security or other property, or in the performance of any guarantee, or to enforce rights in respect of any such default in such manner and to such extent as it may deem advisable; to exercise and enforce any and all rights of foreclosure, to bid on property on sale or foreclosure, to take a conveyance in lieu of foreclosure with or without paying a consideration therefor and in connection therewith to release the obligation on the covenant secured by such security and to exercise and enforce in any action, suit or proceeding at law or in equity any rights or remedies in respect of any such security or guarantee pertaining thereto;
- G. to register the securities or other property of the Trust Fund in its own name or in the names of nominees, including The Canadian Depository for Securities Limited, or in bearer form; and the Trustee is hereby expressly empowered to keep the same, wholly or partly, in its principal office or in any one or more of its branches in any Province of Canada or at the office of any financial institution ("other depository") that is authorized to act as a custodian of securities by the laws of any country, province, state or any other political subdivision of any country in which such financial institution is located, all as the Trustee may determine so long as the securities and other property of the Trust Fund at all times are kept distinct from its own assets and those of its nominees and other depositories and distinguishable in the registers and other books of account kept by the Trustee from those of any other person and provided that the books and records of the Trustee shall at all time show that all such securities or other property are part of the Trust Fund;
- H. to make, execute, acknowledge and deliver any and all deeds, leases, mortgages, conveyances, contracts, waivers, releases or other documents of transfer and any and all other instruments in writing that may be necessary or proper for the accomplishment of any of the powers herein granted;
- I. if not prohibited by pension benefits legislation and the regulations, policies and administrative practices of the applicable federal and provincial regulatory authorities as may from time to time apply to the Plan, to borrow

(including the right to borrow from itself or any of its affiliates) money against the assets of the Trust Fund, on such terms and conditions as the Trustee may determine, but only if such borrowing is required for the payment of benefits under the Plan, and provided that such borrowing is on a short term basis in order to prevent the distress sale of long-term investments and provided further that the interest charged on such borrowing shall be paid out of the Trust Fund and shall constitute a charge against the Trust Fund;

J. if not prohibited by pension benefits legislation and the regulations, policies and administrative practices of the applicable federal and provincial regulatory authorities as may from time to time apply to the Plan,

(i) to purchase, hold, sell and exercise call and put options on stocks, fixed income securities, stock and fixed income indices, or financial and stock index futures contracts or other similar financial instruments; and

(ii) to purchase, hold and sell financial and stock index futures contracts, or other similar financial instruments;

provided that:

(i) such options, futures contracts or other similar financial instruments are traded on a regulated exchange;

(ii) any purchase and sale of financial futures contracts is used to hedge an existing risk or investment of the Trust Fund; and

(iii) no sale or writing of a put option on stocks, bonds or similar financial instruments shall be made pursuant to this paragraph J.

K. if not prohibited by pension benefits legislation and the regulations, policies and administration practices of the applicable federal and provincial regulatory authorities as may from time to time apply to the Plan, to purchase, hold and sell gold, silver and other precious metals;

L. in consultation with the Investment Manager or the Company, as the case may be, to hold such portion of the Trust Fund in cash as the Trustee, from time to time, may deem to be in the best interests of the Trust and to retain the cash balances on deposit with the Trustee or any of its

affiliates or with a chartered bank or other depository, in such interest bearing account as the Trustee in its sole discretion determines or to invest such cash balances in the guaranteed investment certificates of the Trustee or any of its affiliates;

- M. to deposit any property forming part of the Trust Fund, including securities and documents of title held by it hereunder, with any bank or other depository, including the Trustee or any of its affiliates;
- N. in consultation with the Company, to employ such counsel, auditors, advisors, agents or other persons (who may be employed by the Company or a Participating Company) as the Trustee may deem necessary from time to time for the purpose of discharging its duties hereunder and to pay out of the Trust Fund their reasonable expenses and compensation;
- O. as directed in writing by the Company, the Trustee may participate in a securities lending program sponsored and administered by the Trustee (the "Program") and in connection therewith, the Trustee is authorized to release and deliver securities and return collateral received for loaned securities in accordance with the provisions of the Program; and
- P. to do all such acts, take all such proceedings and exercise all such rights and privileges, although not specifically mentioned herein, as the Trustee, may deem necessary to administer the Trust Fund, and to carry out the purposes of this Trust.

The exercise of any one or more of the foregoing powers or any combination thereof from time to time shall not be deemed to exhaust the rights of the Trustee to exercise such power or powers or combination of them thereafter from time to time.

2. Annuity Purchases

Notwithstanding any other provision of this Trust Agreement, the Trustee shall, when and as directed in writing by the Company, use all or a portion of the Trust Fund to purchase or pay for a contract or contracts with an insurance company or companies authorized to carry on an insurance business in Canada or with the Canadian government or a province in Canada to provide pension benefits under the Plan; provided, however, that no such contract shall be purchased unless the Trustee has received confirmation from the insurance company or companies that the contract complies with the applicable law or rules and

regulations established and promulgated under the authority of the Income Tax Act (Canada) in respect of approved and/or registered pension plans or any other legislation or regulations relating to approved and/or registered pension plans established and promulgated by federal or provincial authority.

3. Liability of Trustee

- (a) In the performance of its duties hereunder, the Trustee shall act honestly and in good faith but shall not be liable for any loss to, or diminution of, the Trust Fund resulting from any act or omission in connection with the affairs of the Trust, except when such loss or diminution is caused by the Trustee's own negligence, wilful misconduct or lack of good faith.
- (b) It is understood that the Trustee shall have no duty or responsibility with respect to the administration of the Plan, the collection or monitoring of contributions required to be made under the Plan by the Company or a Participating Company, or employees thereof, or for the adequacy of the Trust Fund to meet and discharge any payments and liabilities under the Plan.
- (c) The Trustee shall not be liable for any loss to, or diminution of, the Trust Fund resulting from the making, retention, or sale of any investment or reinvestment made by it as herein provided except when such loss or diminution is caused by the Trustee's own negligence, wilful misconduct or lack of good faith.
- (d) The Trustee shall not be responsible for the making, retention, or sale of any investment or reinvestment made by an Investment Manager as herein provided, nor shall the Trustee be liable for any loss to or diminution of, the Trust Fund resulting from the making, retention, or sale of any such investment or reinvestment except when such loss or diminution is caused by the Trustee's own negligence, wilful misconduct or lack of good faith.
- (e) Subject to the limitations otherwise provided in this Trust Agreement on the powers and authorities of the Trustee, the Trustee may, and is hereby expressly authorized from time to time in its discretion to, appoint, employ, invest in, contract or deal with any individual, firm, partnership, association, trust or body corporate, including without limitation, itself and any partnership, trust or body corporate with which it may be directly or indirectly affiliated or in which it may be directly or indirectly

interested, whether on its own account or for the account of another (in a fiduciary capacity or otherwise) and, without limiting the generality of the foregoing, the Trustee may

- (i) purchase, hold, sell, invest in or otherwise deal with securities or other property of the same class and nature as may be held in the Trust Fund, whether on its own account or for the account of another (in a fiduciary capacity or otherwise);
- (ii) use in other capacities knowledge gained in its capacity as Trustee hereunder provided that such use does not adversely affect the interests of the Trust;
- (iii) in consultation with the Investment Manager, retain cash balances from time to time on hand in the Trust Fund with the Trustee or any of its affiliates in such interest bearing account as the Trustee determines or invest such cash balances in the guaranteed investment certificates of the Trustee or any of its affiliates; and
- (iv) invest in the securities or other property of any body corporate with which the Trustee may be directly or indirectly affiliated or interested

without being liable to account therefor and without being in breach of the Trust established hereunder.

- (f) No person entitled to benefits under the Plan shall have any claim against the Trustee or the Trust Fund except by or through the Company, and the Trustee shall not be liable to any such person provided that it has acted in good faith on any direction or resolution furnished to it by the Company as provided herein. Except as expressly provided herein, the Trustee shall not be under any duty to make inquiries with respect to whether any application of the Trust Fund made by it upon the direction from the Company or any Investment Manager is made pursuant to the terms of the Plan.
- (g) Provided reasonable care was exercised in the selection of any counsel, auditors, advisors, agents or other persons employed by the Trustee hereunder, the Trustee shall be fully protected in acting in good faith on the opinion or advice of or information obtained from any such counsel, auditors, advisors, agents or other persons in relation to any matter arising in the administration of the Trust hereof.

4. Accounts and Records

The Trustee shall keep accurate and detailed accounts and records to record all transactions with respect to its administration of the Trust Fund. The fiscal year of the Trust Fund shall end on the 31st day of December of each year. The accounts and records relating thereto shall be open to inspection and audit at all reasonable times by any person duly authorized by the Company. No person, except by and through the Company, may require an accounting or bring any action against the Trustee with respect to the Trust Fund and/or its actions as Trustee.

Within ninety (90) days following the end of the fiscal year of the Trust Fund, or following the last day of such other accounting period as may be agreed upon by the Company and the Trustee, and within ninety (90) days following the resignation or the removal of the Trustee, the Trustee shall mail or deliver to the Company a statement of account showing all investments, receipts and disbursements during the accounting period. Statements of account shall be prepared in such form showing such details as may from time to time be mutually agreed upon by the Company and the Trustee. Upon the expiration of ninety (90) days from the date of mailing or delivery of such annual statement or other statement, the Trustee shall be released and discharged from all liability and accountability to anyone with respect to its acts and transactions during the period covered by the statement, except with respect to any such acts or transactions as to which the Company shall within such ninety (90) day period file with the Trustee written objections and except for loss to, or diminution of, the Trust Fund resulting from the Trustee's own negligence, wilful misconduct or lack of good faith.

5. Resignation and Removal of Trustee

The Trustee at the time acting hereunder may resign and be discharged from the Trust by filing written notice with the Company. Any Trustee hereunder may be removed at any time with or without cause by an instrument executed by the Company and filed with the Trustee. Such resignation or removal, as the case may be, shall take effect ninety (90) days after the instrument of resignation or removal has been filed as provided herein unless the party with whom such instrument is filed waives such requirements.

6. Appointment of Successor Trustee or Other Funding Agent

In case of the resignation or removal of the Trustee or in case a vacancy shall arise in the trusteeship of the Trust Fund from any cause, a successor trustee or other qualified funding agent

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(such trustee or funding agent is hereinafter referred to as the "successor funding agent") shall be appointed by an instrument executed by the Company. Acceptance of the appointment shall be evidenced in writing delivered by such successor funding agent to the Company. Any successor funding agent who accepts such appointment shall have the same powers and duties as those conferred upon the Trustee hereunder and, upon acceptance of such appointment by the successor funding agent, the Trustee shall assign, transfer and pay over to such successor funding agent the funds and properties then constituting the Trust Fund. The Trustee is authorized, however, to reserve such reasonable compensation and other expenses as it may deem advisable, in connection with its administration of the Trust and any balance of such reserve remaining after the payment of such compensation and expenses shall be paid over to the successor funding agent.

Notwithstanding the foregoing, any trust company resulting from the merger or amalgamation of the Trustee with one or more trust companies and any trust company which succeeds to substantially all of the trust business of the Trustee shall thereupon become the successor trustee hereunder in respect of the Trust Fund, only with the approval of the Company and City Treasurer, which approval there is not obligation to provide.

ARTICLE V
AMENDMENT AND TERMINATION

1. Amendment of Trust Agreement

The Company reserves the right at any time and from time to time to amend, in whole or in part, any or all of the provisions of this Trust Agreement by notice thereof in writing delivered to the Trustee, provided that no such amendment which affects the rights, duties or responsibilities of the Trustee may be made without its consent, and provided further that no such amendment shall authorize or permit, at any time prior to the satisfaction of, or provision for, all Plan liabilities with respect to the members of the Plan and their beneficiaries accrued to the date of such amendment as determined by actuarial valuation, any part of the Trust Fund to be applied, paid or diverted to any purposes other than those provided for under the terms of the Plan or this Trust Agreement, including the payment of taxes and other assessments pursuant to section 2 of Article II hereof and compensation and expenses pursuant to section 3 of Article II hereof.

2. Termination of Trust Agreement

This Trust Agreement may be terminated at any time by an instrument in writing executed by the Company and the Trustee, and upon its termination the Trust Fund, less any amounts constituting compensation and expenses payable from the Trust

Fund, shall be paid out by the Trustee as directed by the Company and in accordance with the terms of the Plan and this Trust Agreement; provided that no such payment shall be made without first obtaining such approvals of the Minister of National Revenue and any other appropriate federal or provincial authority as may be required under any legislation or regulations relating to approved and/or registered pension plans established and promulgated by federal or provincial authority.

ARTICLE VI
MISCELLANEOUS

1. Participating Companies

Except as otherwise provided in the Plan:

- (a) The Company, upon written notice to the Trustee, shall have the right to extend the benefits of the Plan to the eligible employees of a Participating Company and, upon receipt by the Trustee of such written notice, together with a written acknowledgment, substantially in the form set out in Schedule "B" hereto, from the Participating Company under which it agrees to be bound by the provisions of this Trust Agreement as if a party hereto, such Participating Company may thereupon participate in the Plan on behalf of its eligible employees.
- (b) Each Participating Company which joins in this Trust Agreement as above provided, thereby appoints the Company as its agent to exercise on its behalf all of the powers and authority of the Company under the provisions of this Trust Agreement, including without limiting the generality of the foregoing, the power to appoint an Investment Manager, the power to amend this Trust Agreement and the power to terminate the Trust created hereunder. The authority of the Company to act as such agent shall continue with respect to all money and property contributed to the Trust Fund by each Participating Company unless and until the amount so contributed shall be segregated and set aside in a separate trust as hereinafter provided.
- (c) A Participating Company may, subject to prior approval as required by the applicable federal and provincial regulatory authorities, withdraw from participation in the Plan and this Trust. The Company may direct the Trustee to segregate from the Trust Fund the equitable share in the Trust Fund allocable to the Plan members of a Participating Company which withdraws from participation in the Plan, in accordance with the terms of the Plan, as certified to the Trustee by the Company. The Trustee shall thereupon

segregate from the Trust Fund such assets as shall be determined to be equal in value to any such equitable share. Such segregation from the Trust Fund may be in cash or in property held in the Trust Fund, or any combination of both, as the Trustee may determine, and the Trustee's valuation of the assets of the Trust Fund for such purpose shall be conclusive and binding on all persons.

The Trustee shall hold, invest and reinvest the equitable share so segregated as a separate trust pursuant to the provisions of this Trust Agreement or until a separate funding agreement is entered into between the Participating Company and a qualified funding agent appointed by the Participating Company. Acceptance of such appointment shall be evidenced in writing delivered by the Participating Company to the Trustee. Upon acceptance of such appointment by such funding agent, the Trustee shall assign, transfer and pay over to such funding agent the funds and properties then constituting such equitable share so segregated.

Where such separate trust is held, invested and reinvested, pursuant to the provisions of this Trust Agreement, this Trust Agreement shall, where the context so requires, be construed as if such Participating Company had been named herein as the Company and as if the assets of such separate trust had been named herein as the Trust Fund.

2. Communications, Notices and Directions

Any communication, notice or direction by the Company or a Participating Company to the Trustee under Article II hereof or any communication, notice or direction by an Investment Manager to the Trustee pursuant to any of the provisions of this Trust Agreement shall be given in writing by such person or persons as are designated for such purpose by the Company, Participating Company or Investment Manager, and the Trustee shall be fully protected in acting in accordance with such communication, notice or direction. The Company, a Participating Company and each Investment Manager shall from time to time in the form set out in Schedule "C" provide the Trustee with the names, title and specimen signatures of the persons which are from time to time so designated.

ROYAL TRUST CORPORATION OF CANADA

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Communications, notices and directions to the Trustee shall be deemed sufficiently made if delivered personally or sent by telex or by prepaid first class mail addressed to:

Royal Trust Corporation of Canada
Royal Trust Tower
P.O. Box 7500, Station A
Toronto, Ontario M5W 1P9

Attention: Director, Master Trust Operations
Pension and Custodial Services

Telex: 06524306

And to the Company if delivered personally or sent by telex or by prepaid first class mail addressed to:

The Corporation of the City of Hamilton
City Hall
71 Main Street West
Hamilton, Ontario L8N 3T4

Any communication, notice or direction so given shall be deemed to have been given and received when delivered personally or when sent by telex, or, subject to disruptions in the postal service, on the fifth business day following the day on which it was so mailed. The Company and the Trustee may from time to time by notice aforesaid change their respective addresses for notice hereunder.

In the event of a postal disruption all communications, notices and directions hereunder shall be delivered personally or sent by telex.

3. Severance of Illegal or Invalid Provision

If any provision of this Trust Agreement shall be held illegal or invalid for any reason by a Court of competent jurisdiction, such illegality or invalidity shall not affect the remaining provisions of this Trust Agreement but this Trust Agreement shall be construed and enforced as if such illegal or invalid provision had never been inserted herein.

4. Notification Respecting Alienation of Benefits

The Trustee will notify the Company upon the receipt by it of any assignment or attempted assignment or notice thereof or of any involuntary assignment, seizure, garnishment or any process of law or execution or notice thereof in respect of any benefit payable out of the Trust Fund.

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5. Assignment

This Trust Agreement may not be assigned by the Trustee without the consent in writing of the Company but may be assigned by the Company to a successor in the business of the Company or to a corporation with which the Company may amalgamate or merge or a corporation resulting from any reconstruction or reorganization of the Company.

6. Governing Law

This Trust Agreement shall be construed, administered and enforced according to the laws of the Province of Ontario and the Trustee shall be liable to account only in the Courts of that Province.

IN WITNESS WHEREOF the parties hereto have caused this Trust Agreement to be executed by their respective officers thereunto fully authorized and their corporate seals to be hereunto affixed and attested as of the day and year first above written.

THE CORPORATION OF THE CITY OF HAMILTON

_____ c/s

ROYAL TRUST CORPORATION OF CANADA_____ *Trace*

TRACE, DIRECTOR, MASTER TRUST OPERATIONS

_____ *M. A. Maduri*M.A. MADURI, ACCOUNTS MANAGER
MASTER TRUST OPERATIONS

c/s

ROYAL TRUST CORPORATION OF CANADA

SCHEDULE "B" TO THE TRUST AGREEMENT
(the "Trust Agreement")
ESTABLISHING THE
DATED AS OF THE DAY OF , 19

ACKNOWLEDGEMENT OF PARTICIPATION IN

The undersigned, having been designated by for
participation as a "Participating Company" under the ,
does hereby acknowledge and confirm that such designation has been
approved by the undersigned's Board of Directors and that the
undersigned agrees to be bound by all of the terms and conditions of
the Trust Agreement as the same may be amended from time to time, as
if a party thereto.

DATED at this day of 19

_____ c/s

ROYAL TRUST CORPORATION OF CANADA

SCHEDULE "C" TO THE TRUST AGREEMENT
(the "Trust Agreement")

CERTIFICATE OF AUTHORIZED SIGNING OFFICERS

The following are specimen signatures of persons, duly authorized to give all communications, notices and directions by The Corporation of the City of Hamilton to Royal Trust Corporation of Canada pursuant to the Trust Agreement.

The Corporation of the City of Hamilton assumes responsibility for amending this list from time to time.

Signature: _____

Name: _____

Title: _____

Signature: _____

Name: _____

Title: _____

Signature: _____

Name: _____

Title: _____

Signature: _____

Name: _____

Title: _____

Signature: _____

Name: _____

Title: _____

Date: _____

*** REPORT OF THE FINANCE COMMITTEE**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **SIXTEENTH** Report for 1987 and respectfully recommends:

1. That a purchase order be issued to B & G, a division of Marmac Limited, Rexdale, in the amount of \$186 073. including applicable taxes, for One (1) Self-contained Snowblower, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: When the Depreciation Committee approved the replacement of the vehicle in 1986, it was estimated to cost \$125 000. Therefore, an additional \$61 073. is required from the Depreciation Reserve Account No. 0280-01.

2. (a) That the estimated Operational Budget of the Hamilton Commonwealth Games Bid Committee in the amount of \$327 600., be approved.

Note: City Council originally approved an appropriation of \$125 000. for the preparation of the Bid up to the end of May, 1987. The additional \$202 600. will be financed from the sale of the Limited Edition Prints in the amount of \$156 600 and the balance of \$46 000. will be financed from the anticipated Year End Surplus of the City.

In the event that all of the Prints are not sold, the Treasurer has suggested that the shortfall be funded by an approved overdraft.

- (b) That Urban Associates continue as the consultant agency for the Hamilton Commonwealth Games Bid up to and including the presentation in Montreal on November 7 - 9, 1987.

Respectfully submitted,

John Thompson, Acting Secretary
1987 September 29
mjw

Alderman P. O. Valeriano, Chairman
Finance Committee

* **SIXTEENTH** Report of the Finance Committee
added during Council.

*** REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW**

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Mayor presents hnis **FIFTH** Report for 1987 and respectfully recommends:

1. That Alderman Reg Wheeler be appointed to serve on the Executive Committee for the remainder of the Council term to replace former Alderman Shirley Collins, who was recently elected to the Provincial Legislature.

Respectfully Submitted,

Robert M. Morrow
Mayor

*** FIFTH Report of His Worship Mayor Robert M. Morrow
added during Council.**

* REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Nominating Committee presents its **THIRD** Report for 1987 and respectfully recommends:

1. Approval of the appointment of Mr. M. Vesp as a member of the Canadian Football Hall of Fame and Museum Management Committee.

Note: This appointment to be until 1988 November 30th, and is to fill the balance of the term of Mr. A. Connolly, resigned.

Respectfully submitted,

MAYOR ROBERT M. MORROW
CHAIRMAN
NOMINATING COMMITTEE

E. A. Simpson, Secretary
1987 September 29

* **THIRD** Report of the Nominating Committee
Added during Council.



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